S. Hrg. 98-999

# SOVIET TREATY VIOLATIONS

## HEARING

BEFORE THE

## COMMITTEE ON ARMED SERVICES
## UNITED STATES SENATE

NINETY-EIGHTH CONGRESS

SECOND SESSION

MARCH 14, 1984

Printed for the use of the Committee on Armed Services

U.S. GOVERNMENT PRINTING OFFICE
37-081 O WASHINGTON: 1984

S201-46

## COMMITTEE ON ARMED SERVICES

JOHN TOWER, Texas, *Chairman*

| | |
|---|---|
| STROM THURMOND, South Carolina | SAM NUNN, Georgia |
| BARRY GOLDWATER, Arizona | JOHN C. STENNIS, Mississippi |
| JOHN W. WARNER, Virginia | GARY HART, Colorado |
| GORDON J. HUMPHREY, New Hampshire | J. JAMES EXON, Nebraska |
| WILLIAM S. COHEN, Maine | CARL LEVIN, Michigan |
| ROGER W. JEPSEN, Iowa | EDWARD M. KENNEDY, Massachusetts |
| DAN QUAYLE, Indiana | JEFF BINGAMAN, New Mexico |
| JOHN P. EAST, North Carolina | ALAN J. DIXON, Illinois |
| PETE WILSON, California | |

JAMES F. MCGOVERN, *Staff Director and Chief Counsel*
ARNOLD L. PUNARO, *Staff Director for the Minority*
ALAN R. YUSPEH, *General Counsel*
CHRISTINE C. DAUTH, *Chief Clerk*

# CONTENTS


| | Page |
|---|---|
| Perle, Hon. Richard, Assistant Secretary of Defense (International Security Policy) | 2 |
| Graham, William, Chairman of the President's General Advisory Committee on Arms Control and Disarmament; accompanied by Roland Herbst and Charles Kupperman | 39 |

# SOVIET TREATY VIOLATIONS

WEDNESDAY, MARCH 14, 1984

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
*Washington, DC.*

The committee met in open session, pursuant to notice, at 10:13 a.m., in room SR-222, Russell Senate Office Building, Senator John Tower (chairman), presiding.

Present: Senators Tower, Warner, Cohen, Wilson, Nunn, Exon, and Levin.

Also present: Senator James A. McClure.

Staff present: James F. McGovern, staff director and chief counsel; Arnold L. Punaro, staff director for the minority; Jeffrey H. Smith, minority counsel; Robert F. Bott, William E. Hoehn, Jr., John Campbell, Bruce D. Porter, and Carl M. Smith, professional staff members; Judith A. Freedman and Douglas R. Graham, research assistants; and Karen A. Love, staff assistant.

Also present: Gerald J. Smith, assistant to Senator Goldwater: Les Brownlee, assistant to Senator Warner; Robert Savitt, assistant to Senator Cohen; Mark J. Albrecht, assistant to Senator Wilson; Mary A. Shields, assistant to Senator Stennis; Jeffrey B. Subko, assistant to Senator Exon; Peter D. Lennon, assistant to Senator Levin; Matthew H. Murray, assistant to Senator Kennedy; and Edward McGaffigan, Jr., assistant to Senator Bingaman.

## OPENING STATEMENT BY SENATOR JOHN TOWER, CHAIRMAN

Chairman TOWER. The committee will come to order.

The committee convenes this morning to receive testimony on the national security implications of Soviet treaty violations.

We would like to welcome our witness, Richard Perle, the Assistant Secretary of Defense for International Security Policy.

Mr. Perle is no stranger to us who have served on this committee for an extended period of time.

On January 23, 1984, the Reagan administration forwarded a report to the Congress that outlined seven initial Soviet violations or probable violations of their arms control commitments.

While the release of the report was controversial, the substance of the allegations has not been seriously challenged. The Soviets responded to our valid concerns with contempt and countercharges.

Critics who have attacked the report as evidence of the Reagan administration's lack of commitment to arms control are, in my view,

wrong. They also miss the central point that if arms control is to play any role in enhancing our national security, then the terms of these agreements must be observed.

The United States enters into these agreements to control the levels of arms, and to promote strategic stability. However, if we find that compliance is unilateral, our purpose in entering into these agreements is largely defeated and instability is the result.

Soviet violations of these important treaty obligations raise some very disturbing questions about the future of arms control.

Our witness today will address the implications of Soviet violations for both our military and arms control policies. After his presentation, and the question and answer period to follow, the committee will receive a briefing from William Graham, the Chairman of the President's General Advisory Committee on Arms Control and Disarmament.

May I suggest that on the completion of Mr. Perle's testimony that we confine the questions to 5 minutes each and then go into closed session for questioning in closed session.

I am reasonably sure that members of the committee might want to explore some areas that are sensitive.

Senator Warner, as chairman of the Strategic and Theater Nuclear Forces Subcommittee, do you have anything you would like to say before we proceed?

Senator WARNER. No, Mr. Chairman.

I am pleased to have with us this morning Senator McClure, chairman of the Energy Committee. There is a considerable connection between our two committees as related to national security.

Chairman TOWER. We join you in welcoming our distinguished colleague, Senator McClure. We are delighted to have you sit in with us.

Senator MCCLURE. Thank you, Mr. Chairman.

Chairman TOWER. Mr. Perle, you may proceed as you see fit. You may submit your prepared statement for the record and summarize it or you may read it. You may proceed in any manner you wish.

We will also incorporate into the record any supporting material that you feel necessary to provide the committee.

## STATEMENT OF HON. RICHARD N. PERLE, ASSISTANT SECRETARY OF DEFENSE (INTERNATIONAL SECURITY POLICY)

Mr. PERLE. Thank you very much, Mr. Chairman.

I think, if I may, I will read from my prepared testimony, but probably not all of it.

Despite the unhappy nature of my report to you this morning, it is a pleasure to appear before the Senate Armed Services Committee. I have been asked to speak today about Soviet violations of important arms control agreements. As President Reagan told the United Nations Special Session on Disarmament in June 1982:

> Agreements genuinely reinforce peace only when they are kept. Otherwise we are building a paper castle that will be blown away by the winds of war.

After a year long intensive study of Soviet compliance with existing arms control agreements, President Reagan forwarded a report on

Soviet compliance to the Congress on January 23, 1984. He summarized the findings of the report as follows:

> The United States Government has determined that the Soviet Union is violating the Geneva Protocol on Chemical Weapons, the Biological Weapons Convention, the Helsinki Final Act, and two provisions of SALT II: telemetry encryption and a rule concerning ICBM modernization. In addition, we have determined that the Soviet Union has almost certainly violated the ABM Treaty, probably violated the SALT II limit on new types, probably violated the SS–16 deployment prohibition of SALT II, and is likely to have violated the nuclear testing yield limit of the Threshold Test Ban Treaty.

The words are carefully chosen here, Mr. Chairman. The quality of evidence that we have been able to accumulate, while high and while persuasive to the President and those of us who spent a full year examining every aspect, is not courtroom evidence, at least not open courtroom evidence, and, therefore, the words were carefully selected to indicate likelihood.

The likelihood where we say it is high is very high.

These are serious issues. Our concerns are deepened by the fact that Soviet violations in a number of cases involved treaties, the terms of which are not very demanding—SALT II, for example.

As this committee well knows, even the strictest possible compliance with SALT II would allow an enormous increase in Soviet nuclear capability. Indeed, there has been almost a 75-percent increase in Soviet nuclear warheads aimed at the United States since SALT II was signed in 1979.

It seems to this observer ample indication of the judgment of this committee that that treaty was not in the security interest of the United States. The fact that the Soviet Union has gone even beyond this and violated important treaty provisions is a cause for serious concern.

Another cause for concern is the fact, as Secretary Weinberger has observed in his recent report to the Congress that:

> Several of these violations must have been planned by Soviet authorities many years ago, in some cases perhaps at the very time the Soviet Union entered into the agreements.

There are serious potential security risks from Soviet arms control violations. This is particularly true in the ABM area. Since the ABM Treaty does not limit the production of ABM intercepter missiles, which can be deployed rather quickly, the radar limitations are its core provision because large radars take years to construct. The ABM Treaty is hardly an optimum arms control agreement. Many of its provisions are permissive and thus involve a calculated risk. Even in 1972 the Soviet radar base was already more extensive than that of the then proposed United States Safeguard ABM.

Indeed, a unilateral statement the U.S. Government issued during the SALT I negotiation noted that:

> Since HEN HOUSE (Soviet ballistic missile early warning radars) can detect and track ballistic missile warheads at great distances, they have a significant ABM potential.

The new Soviet large phased-array radars (LPAR's), now deployed in significant numbers, are far more capable than the Hen House.

The United States has long been concerned about the ABM potential of Soviet large phased-array radars. Indeed, as early as 1970, then Secretary of Defense Melvin R. Laird told the Senate Foreign Relations Committee:

> You all know that with regard to ABM defenses, long-lead items are the acquisition and tracking radars.

Soon after signing the ABM Treaty the Soviets began the construction of a new generation of large phased-array radars far more capable than the Hen House to support a large ABM program.

Indeed, during the Carter administration, the JCS reported that:

> Soviet phased-array radars, which may be designed to improve impact prediction and target handling for ABM battle management, are under construction at various locations throughout the USSR. These radars could perform some battle management functions as well as provide redundant ballistic missile early warning coverage.

In mid-1983 the United States discovered the construction of one of these radars deep in the interior of the U.S.S.R. near the city of Krasnoyarsk, a city, by the way, from which Secretary Chernenko comes. Maybe it was just a public works project to support his district.

After a minute analysis study of this radar, its capabilities and Soviet explanations for its construction, the U.S. Government has concluded that:

> The new radar under construction at Krasnoyarsk almost certainly constitutes a violation of the legal obligation under the Anti-Ballistic Missile Treaty of 1972, in that in its associated siting, orientation, and capabilty, it is prohibited by the Treaty.

We have other serious concerns about Soviet failure to comply with the ABM Treaty. During the negotiation of the treaty, the U.S. Government attempted to deal with the threat of the upgrade of Soviet bomber defense—SAM—missiles into ABM systems. We were particularly concerned about the SA–5. In the testimony cited above, Secretary Laird voiced concern about the ABM potential of the Soviet SA–5, noting that:

> We cannot rule out the possibility that the Soviets have given or will give this system, called the SA–5 or TALLINN system, an ABM role. We believe it is technically feasible for this system. This is a problem of particular concern because of the extent of the TALLINN deployment—over 1,000 interceptor missile launchers.

The United States settled for a prohibition of testing such SAM's in the ABM mode but without a specific definition of what this meant.

Over the years we have expressed concerns to the Soviet Union about Soviet testing of bomber defense missiles—surface-to-air missiles, or SAM's—radars against strategic ballistic missiles. A 1978 report of the Carter administration stated that this activity:

> * * * could have been part of an effort to upgrade the SA–5 system for an ABM role or to collect data for use in developing ABM systems or a new dual SAM/ABM system.

Moreover, the Soviets have developed a rapidly deployable ABM system. In addition, as the Scowcroft Commission noted in its report:

> At least one new Soviet defensive system is designed to have capability against short-range ballistic missiles; it could perhaps be upgraded for use against reentry vehicles of some submarine-launched ballistic missiles and even ICBMs.

Two of the new Soviet SAM's now being deployed, the SA–10 and SA–12 could have ABM potential if provided data from large phased-array radars.

I think I can summarize the discussion of the ABM problem by noting the importance that we must attach to the appearance of long lead time, large phased-array radars, given the capacity of the Soviets to move quickly to put in place the other elements of a comprehensive ABM system.

That is why, of all the violations, the one that concerns us most is the installation of this new radar at Krasnoyarsk.

Concerning the SALT II Treaty, we have determined that there have been a number of violations or probable violations. We believe that the Soviets have probably deployed the SS–16 ICBM in violation of a specific treaty prohibition. The Soviets have either flight-tested a second new type of ICBM in violation of a treaty provision or they have made impermissible modifications to an existing type. We believe that the Soviet SS–X–25 probably is a second new type in violation of the treaty limit of one new type.

I can recall the hearing in this very room with Secretary Brown on the issue of the prohibition in the SALT II Treaty of deployment of more than one new type of ICBM. As I recall, it was Secretary Brown's view that this was perhaps the most important of the provisions of the SALT II agreement. We have now unhappily concluded that it has been violated.

The limit of one new type of ICBM was described by the Carter administration as one of the principal limits of SALT II. To quote Secretary of State Cyrus Vance in 1979:

> Based on their past practices, they could be expected to acquire several entirely new types of land-based missiles by 1985; the treaty limits them to one.

While the "new" type limit of SALT II was hardly as restrictive as the Carter administration made it out to be, the one thing the Carter administration did insist on was that the SALT II Treaty would prohibit their testing of both a new medium and a new small solid fuel ICBM. They have now done both. They have flight-tested a new medium solid fuel ICBM similar to our MX and the SS–X–25, a Minuteman-sized solid fuel missile.

The United States has determined that Soviet encryption of missile telemetry impedes our verification of SALT II in violation of the agreement. This is a serious development because it also affects our ability to negotiate a verifiable START Treaty. It affects in space the prospect of a verifiable ASAT agreement.

Indeed, President Carter told a Joint Session of the Congress in June 1979 that:

> A violation of this part of the treaty—which we would quickly detect—would be just as serious as a violation of the limits on strategic weapons themselves.

The Senate Foreign Relations Committee was so concerned about telemetry encryption in 1979 that it adopted an understanding to the resolution of ratification, sponsored by Senator Biden and adopted by a 15-to-0 vote, which provided:

> That any practice with regard to the transmission of telemetric information during the testing of strategic arms limited by the Treaty, including, but not limited to, the failure to transmit relevant telemetric information, which results

in impeding of verification by United States national technical means of any provision of the treaty, will be raised by the United States in the Standing Consultative Commission and if the issue is not resolved to the satisfaction of the United States, the United States reserves the right to exercise all other available remedies, including but not limited to, the right to withdraw from the treaty.

Those were brave words. They were words agreed to by the committee in the context of a dispute over verification of the treaty and they are every bit as relevant in the aftermath of the implementation of that treaty as they were when they were said in 1979.

Soviet violations of the chemical and biological treaties are more than simple arms control violations. They are atrocities. These weapons have been used against defenseless human beings in an organized effort to drive them from their homes by killing thousands of them.

The decline in the use of these weapons reported in today's newspapers does little for the thousands who have died and nothing to absolve the Soviets from 8 years of cruel and inhumane attacks with lethal mycotoxins.

I could not help but be struck, Mr. Chairman, by reports that Iraq has resorted to the use of chemical weapons in its war with Iran which appeared on the front pages immediately and without qualification. There were no references to "alleged reports."

This report is in contrast to the general effect that the Soviet Union was engaging in supplying mycotoxins to its allies in Afghanistan and Southeast Asia. Somehow the word "alleged" appeared for virtually every such description of what we knew to be going on.

The Soviet violation of the Helsinki Final Act involved an action contrary to the confidence-building measures included in that agreement.

Soviet testing of nuclear weapons, which we believe is likely to have exceeded the 150-kiloton limit of the Threshold Test Ban Treaty, could result in the development of improved warheads for their strategic result in the development of improved warheads for their strategic weapons systems.

Violations, in my judgment, however, are more significant than the immediate military consequences of the acts themselves. They raise questions about the integrity of the arms control process that may be far more significant than the short-term military impact.

Despite much rhetoric in the 1970's about the terrible consequences to the Soviet Union of arms control treaty violations, it is clear that these treaties are extremely difficult to enforce.

There are those who even now demand standards of proof that simply cannot be met by national technical means of verification. There are those who argue we should ignore violations because they are not militarily significant. Others suggest that these Soviet violations are somehow our fault—we have not been tough enough with them in the Standing Consultative Commission. Some even suggest we should sweep these issues under the rug because they spoil the climate for future arms control.

There has been some criticism of our decision to make public these Soviet violations. Some of this echoes the criticism of the Arms Control Association without repeating its most fundamental injunction:

Violations of arms control agreements cannot be overlooked or excused.

Perhaps the tone of the Arms Control Association press conference would have been different if it had accepted the administration's offer

of a classified briefing on the report before it held its press conference. It chose to hold its press conference before such a briefing could be arranged and even before the final report was finished and presented to the Congress.

The most fundamental misconception fostered by the Arms Control Association is that somehow Soviet arms control violations are our fault because until recently we have not raised SALT II issues in the Standing Consultative Commission [SCC].

I want to clear this up here and now. This is simply not true. We began raising SALT II issues in the spring 1981 session of the SCC. We have also raised them through senior diplomatic channels. We called for a special session of the SCC in 1983 which the Soviets refused to attend.

The fact of the matter is that the SCC has been largely unsuccessful over the years in resolving compliance concerns. Unfortunately, previous administrations have exaggerated its effectiveness in order to sell unverifiable arms control agreements to the U.S. Congress.

Ambasador Paul Nitze was correct in 1979 when, during the SALT II hearings, he testified that:

> They [compliance concerns] were resolved by accepting what has been done in violation.

One can debate whether the issues of the 1970's were violations or circumventions or a mix of both. I suppose I will be accused of looking at the past and not the future. There is no doubt that the Soviets have proven remarkably adroit at exploiting ambiguities in arms control agreements to proceed with activities that it was the intent of one of the parties—us—to preclude by treaty.

In doing this, the Soviets have not hesitated to mislead us, deliberately and all too successfully. In order to achieve their purpose, while we regard the spirit of agreements as a guide to their implementation, the Soviets do not. They care nothing for the spirit of agreement and, while it suits their purpose, little more for their letter. This is a sad commentary; the truth is not always happy.

The charges we have made against the Soviet Union are the result of an extremely intensive study of Soviet compliance that lasted over 1 year. We carefully reviewed the evidence and the negotiating record.

I might say in passing on one issue where there was some concern that the negotiating record might have been ambiguous, Mr. Chairman, we searched tens of thousands of pages of that record and found 27 instances in which the subject at issue was referenced, laid out all 27 instances before a senior subcabinet group, and before the report went to the President with recommendations, we had exhaustively examined each and every one of the 27 statements to be sure in our own mind there was not the thinnest edge of an excuse that could be brought to bear in defense of Soviet behavior.

These charges should not be confused with the Soviet propaganda contained in the Aide Memoire released by the Soviet Government. The Soviets know full well that we are in full compliance with our arms control obligations.

There is nothing new about arms control treaty violations or attempts to deny the existence of these violations or their significance. Sir Winston Churchill waged a very lonely campaign against these tendencies in the 1930's.

In 1933 he first warned of Hitler's violations of the arms control provisions of the Treaty of Versailles. His revelations were treated with disbelief. The Labour Party had just won an important election on an overtly pacifist platform.

In 1933, Sir Winston noted that these pacifist leaders "* * * represented that Germany might have a few thousand more rifles than was allowed under the Treaty, a few more Boy Scouts," but then "pictured the enormous armies of Czechoslovakia and Poland and France with their thousands of cannons, and so forth. If I could believe that picture, I should feel much more comforted, but I cannot. The great, dominant fact is that Germany has already begun to rearm."

Mr. Churchill's warnings were ignored.

In 1934, Sir Winston Churchill challenged the British Government concerning German compliance with arms control provisions of the Treaty of Versailles. In the House of Commons he stated that:

> . . . the worst crime is not to tell the truth to the public, and I think we must ask the government to assure us that Germany has observed and is observing her treaty obligations in respect to military aviation.

Unfortunately, the British Government did assure the British people, contrary to the facts, that Hitler was not violating the Treaty of Versailles.

Even as late as 1935 the British Government was ignoring Hitler's arms control violations, even refusing to admit that the Germans were violating the limits on warship construction.

I apologize for this discourse on British history, Mr. Chairman.

Chairman TOWER. I think that discourse is very instructive and pertinent.

Please proceed.

Mr. PERLE. Thank you.

Sir Winston railed in the House of Commons:

> * * * even the battleships are laid down. I do not know how the Admiralty came to be without information that even battleships, contrary to the Treaty, were being laid down. I am astounded at such a thing. We always believed before the [First World] War that battleships could never be laid down without our knowledge. The Germans were entitled to build 10,000-ton ships according to the Treaty, but they, by a concealment which the Admiralty were utterly unable to penetrate, converted these into 26,000-ton ships. Let us be careful when we see all these extremely awkward incidents occurring.

The British Government was not careful. It continued to deny Hitler's arms control violations. Thus, England slept until it was too late to avoid the Second World War.

This administration is dedicated to the negotiation of effective, meaningful, and verifiable agreements for arms reduction. This cannot be accomplished by ignoring Soviet arms control violations and pretending that they do not exist.

Arms control without Soviet compliance is nothing more than an exercise in unilateral disarmament. Arms control agreements must be complied with if there is any hope that they will increase our security.

The Soviet arms control compliance record must be taken fully into account when we formulate future arms control proposals.

The fact that the Soviets have cheated in the past does not rule out the possibility of mutually beneficial agreements in the future, but it does rule out the type of ineffective agreements based upon wishful

thinking that we have negotiated in the past—and which some propose today.

We will continue to press the Soviets for corrective action. However, we must recognize that the problem of Soviet arms control violations has not yet been solved.

We must, if we are not to face an expanding pattern of Soviet violations, see to it that such violations carry costs at least equal to the gains they derive from them.

The full funding of the President's strategic weapons program is essential in view of these violations. We are now in the process of assessing the implications of these violations for our mid- and long-term programs.

It is clear, however, that the enormous momentum of the Soviet strategic weapons program continues largely unconstrained by existing treaties.

Mr. Chairman, I did read the entire statement. I apologize for its length, but I have been struck by how little interest there has been in this issue in other parts of the Government and I wanted to make full use of this opportunity.

Chairman TOWER. Thank you, Mr. Perle.

As I have said, gentlemen, we will confine our questioning to 5 minutes because we are going into closed session for further questioning.

I think if you are agreeable, Senator Nunn, we will confine it to 5 minutes.

Senator NUNN. Fine.

Chairman TOWER. Mr. Perle, will you comment on the likely message that we would send to the Soviets by making major reductions in our defense budget in face of these violations, especially reductions in our strategic modernization program?

Mr. PERLE. I believe, Senator, that in part because the treaties are so permissive and there is such vigorous growth on the Soviet side, it is in our security interest to approve the full modernization program under any set of circumstances, but to reduce that program in the aftermath of the President's findings on violations would send an utterly wrong signal.

It could only encourage additional violations and raise questions about how serious we regard the threat to our own security.

Chairman TOWER. In view of the Soviet arms control compliance record, what conclusions have you drawn with regard to framing future agreements that are enforceable?

Mr. PERLE. I think first, Senator, that we have to be a good deal more scrupulous and careful than we have been in the past in establishing in our own mind the clarity of the obligations assumed under the agreement.

I can remember Paul Warnke testifying in support of SALT II and calling it a lawyer's dream. What I thought he meant was that it was a legally perfect document.

What in fact it meant is that it was a lawyer's dream in the sense you could employ legions of lawyers to interpret it. It took us months to sort through the interpretation of the provisions of this treaty.

Wherever there is room for multiple interpretation, there is room for circumvention without a legally provable instance of violation.

We haven't discussed any of this today, but there is plenty of that as well.

I believe in the future we need to be more precise than we have been in the past in pinning down details. It is a mistake to resort to unilateral statements. It is a mistake to finesse issues and leave them ambiguous because one knows deep down an attempt to clarify will probably produce deadlock on that issue. That is characteristic of the manner in which we have negotiated in the past.

It is also important to recognize that treaties are not self-enforcing. The awesome prospects of being caught in the violation is not in and of itself sufficient to deter violation, not, least of all, because the consequences are not so awesome, although I believe that our response to these violations will have a significant impact on how the Soviets regard the consequences of future violations.

I would urge, most of all, that we regard these violations with such seriousness as to discourage violations in the future.

Chairman TOWER. Does our ability to verify the administration's START proposal depend on absolute unimpeded access to missile telemetry.

Mr. PERLE. Yes, I believe, if anything, Senator, we have been losing ground during the period of these agreements with respect to the quality of our intelligence about Soviet development, principally because they have been encrypting telemetry, sometimes in its entirety, sometimes rather close to that.

The end result is that we are actually getting less intelligence now than we got before. There is a certain irony in this, in view of the argument that I well recall in support of the SALT II Treaty, that it would help us in the area of intelligence because of the prohibitions on the encryption of telemetry.

What in fact has happened is that the Soviets have been encrypting telemetry. We are getting less information now than before. On balance, we are worse off than we were before we had the agreement.

Chairman TOWER. Thank you, Mr. Perle.

Senator Nunn?

Senator NUNN. Thank you, Mr. Chairman.

I appreciate very much, Mr. Perle, your testimony today. I, too, join the Chairman in enjoying the recitation about the problems leading up to World War II and the British experience.

I also recognize that the Senate passed a resolution stating we wanted the administration to come forward with a report on the Soviet violations and I think that is what we got.

What puzzles me is if we know, and your testimony is we do know, they violated without any doubt certain provisions of existing treaties? Is that right?

Mr. PERLE. That is correct.

Senator NUNN. We have verified that?

Mr. PERLE. Yes.

Senator NUNN. Now, it seems to me to say that the problem is that we need tighter treaties, more precise treaties, and so forth, that somewhat begs the question because no matter how tight a contract you draws as a lawyer, if it is absolutely tight, the only thing that tightness does is mean that you will know with clarity that a violation will occur.

It does not prevent a violation from occurring. You already know it.

That does not say we should not have a clear agreement, it just does not tell us what to do once we know it is violated.

It seems to me the administration has said, yes, it has been violated, this is very dangerous, and so forth and so on, but they have not told us what we are going to do.

The question to me is what are we going to do about it? We are very long on the problem and I see no suggestion of an answer whatsoever.

Certainly a tighter contract is not going to get us anything if they are going to breach it anyway.

Mr. PERLE. I think the point is well taken. I think we need tighter contracts so that there will be fewer liberties taken with the agreements.

There have been liberties in a number of areas that we have not even considered candidates for possible violations because of the ambiguities and deficiencies in the treaty.

Senator NUNN. We do know they have violated in certain instances.

The question I have is what does the administration propose to do about it?

Mr. PERLE. Senator, first of all, this is not solely a matter for the administration. I believe, and I think my colleagues in the administration believe, that a necessary first step in attempting to develop some responses is to share our knowledge broadly with the Congress, to consult with the Congress and to see what disposition there is in the Congress to support whatever set of remedies the administration may propose.

The simple fact is that there are no easy responses. There are no obvious answers. It would be nice if we could send a bulldozer in and dismantle the radar at Krasnoyarsk. We can't.

Whether we should deploy additional penetration aids in our missiles in recognition of the ABM potential of that radar is an issue now under study.

Whether we should feel liberated from obligations that we have assumed in those same treaties is an issue now under study.

We have not yet concluded how best to respond.

Senator NUNN. It has taken a long time for the administration since coming into power to say SALT II was a bad agreement, we should never have entered into it, to begin with.

The administration had known of the violations, I suppose, a couple years or more. It seems to me that is a long time, almost the end of the first term, and there is no remedy being proposed at all.

We are in the process of trying to get the Soviets to come back to the negotiating table at the present time.

Your statement here is very strong, "Arms control without Soviet compliance is nothing more than exercise in unilateral disarmament," and that is what we are doing; is that right?

You are basically saying this administration at this point in time is engaging in unilateral disarmament and our Nation is. Is that right?

Mr. PERLE. I think what I am saying is that the consequences of Soviet noncompliance and continuing U.S. compliance mean in effect that the assumption of obligations under the treaty is unilateral or unilateral disarmament.

Senator NUNN. That is exactly where we are now, isn't it?

Mr. PERLE. That is correct.

Senator NUNN. Our Government is now engaging in unilateral disarmament?

Mr. PERLE. We are now having unilateral disarmament inflicted upon us, if I may put it that way.

We have the option, of course, of following the Soviets by renouncing the treaty. That is not a step that any administration would take lightly for obvious political reasons.

It drives home the point that there are no easy or self-enforcing solutions to situations like this one.

I would only make one small point, Senator Nunn.

Two years ago there were a number of us, based on the evidence available, who felt that there was a strong case that the Soviets were in violation.

It was only with the conclusion of the President's report at the beginning of this year, less than 2 months ago, that the administration came to the finding that the violations had taken place.

Senator NUNN. If it had not been for the congressional resolution, this administration would never have come to the conclusion that Winston Churchill did in the 1930's and had the courage to tell the American people that violations were occurring.

Mr. PERLE. I like to think that those of us who were urging that course of action independent of Congress would have prevailed, but the pressures against finding that major treaty obligations existing between the United States and the Soviet Union are being violated are very considerable and they would be faced by any administration.

That is especially true when you don't have an obvious response.

Senator NUNN. I agree with you. I think it ought to be clear to everyone that what we have here is definition of the problem, but no suggestion as to solution. I know that you probably would have some. I am sure you would have some, having known Professor Perle for a long time.

I am saying what we have is that Congress is not going to come up with the answer to this. I think the administration has to take the initiative and I do think it has to be a consultative process.

Mr. PERLE. Especially during this election year and given the unfortunate politicization along party lines of the issue.

Senator NUNN. That has been the case for 4 or 5 years.

Mr. PERLE. I have not seen anything quite comparable to the television——

Senator NUNN. We have three treaties that have been negotiated by three Presidents, none of which have been ratified by Congress.

I would say the arms control and disarmament process has been politicized for a decade.

Mr. PERLE. I saw on television last night an ad that shows every President in the postwar period attempting to negotiate arms control and it concludes by saying "Except this one."

I don't know who put the ad together. It is paid for by the Democratic National Committee.

The fact is the Soviet Union has walked out of the START negotiations, the Soviet Union has walked out of the INF negotiations, and for anyone to put on national television an ad suggesting that it is somehow the responsibility of the President of the United States that there is not now an arms control negotiation in process seems to me

divisive and damaging to the country as a whole and a regrettable political approach.

Senator NUNN. I think the groundwork for this kind of situation was laid when you had the administration running against a treaty like the SALT II Treaty.

As you know, I had reservations, the administration ran against the treaty talking about all the great damage it was going to do to our security and turning around and saying we are going to comply with it.

Now we are in a position that the treaty is gravely damaging to our security, saying wait a minute, the Soviets are violating, we ran against it. We said it is detrimental. Now you are saying we are going to comply with it.

That is a strange sort of situation that has led to the kind of political look at arms control in general that is very unfortunate.

I agree with you that politicized arms control is a very unfortunate development.

I disagree with you on when that politicization of arms control started.

Chairman TOWER. Gentlemen, I don't propose to politicize these hearings. So, I hope we will avoid getting into any political discussions here.

I think the point is well made regardless of what the source is, and I am not saying it is a party source, but there have been critics of the administration who seized on the release of the report on Soviet noncompliance as evidence that the President is not sincere about arms control negotiations.

I think that is unfortunate. That criticism is not partisan by commentators.

Senator COHEN. It came from former President Nixon last evening in a speech to the New York Economic Club.

Chairman TOWER. Well, let us get on with the questioning.

Senator Warner?

Senator WARNER. Mr. Chairman, in my humble judgment an arms control agreement is going to await a bipartisan consensus in both the legislative branch and executive branch that will transition from one administration to another. The sooner we strive for that goal, the sooner we will be able to attain credibility.

Senator NUNN. I agree with that completely, Senator Warner.

Senator WARNER. That forces an obligation upon all of us in both parties to subscribe to that goal of a true bipartisan set of standards, a set of goals that we will be able to transition from one administration to another.

In your statement today, on page 5, I wish to repeat one paragraph:

> In doing this, the Soviets have not hesitated to mislead us, deliberately and all too successfully. In order to achieve their purpose, while we regard the spirit of agreements as a guide to their implementation, the Soviets do not. They care nothing for the spirit of agreements and while it suits their purpose, little more for their letter. This is a sad commentary.

Mr. Perle, this is probably the strongest indictment that I can recall leveled at the totality of arms control by any spokesman for the administration.

Can you recall a parallel?

37-081 O - 84 - 4

You are a historian on the subject. I don't say that by way of criticism. I wish to document your statement as being perhaps the most serious indictment that a spokesman for the administration has leveled.

Mr. PERLE. It may well not turn out to be the case. There is a tendency to mince words on this subject and it is not my style.

Senator WARNER. I have been looking into this subject independently, as I am sure almost all my colleagues have.

Indeed, we are privileged to have Senator McClure here this morning who is the individual who originated the congressional action on the subject.

To what extent did you consult with the U.S. representative to the Standing Consultative Commission in the preparation of this testimony?

Mr. PERLE. I did not consult with them in the preparation of my testimony.

Senator WARNER. What about the President's Report?

I am trying to isolate the participation of the U.S. representative on that Commission in this report.

Mr. PERLE. The report was done throughout the Government. There were a very large number of people involved, as I said, minutely examining the technical aspects of it.

The deliberations took place in something called the Senior Arms Control Policy group, chaired by the President's national security assistant.

We had, and of course others in preparing reports that came to us had, available all of Ambassador Ellis' reporting cables which dealt with these issues in very considerable detail.

Senator WARNER. Did you undertake to speak with him about the content of this report and are you at liberty to represent him today?

Mr. PERLE. I did not personally discuss it with him. He was in Geneva much of the time during these deliberations. I had not talked with him personally.

Senator WARNER. Mr. Chairman, I think that we should afford Mr. Ellis the opportunity to participate in this hearing. I don't know what limits there may be on his appearing before Congress on this issue. I hope none, but I think it would be important to get his perspective on the issue.

Senator NUNN. I want to join you in that suggestion. I think that is enormously important. I really think we ought to hear from him.

Senator WARNER. The concern I have is that that Commission has been in place for some time and yet this report comes upon the scene in America almost as a surprise.

I am sure these facts have been discussed back and forth within the administration as they were in the previous administration.

I want to try to isolate with greater clarity the reason why you are coming forward at this time. I presume, of course, in response to the invitation by the Chair and also in response to the directive of Congress to prepare the report.

I think Senator Nunn touched on an important issue: If we had not done that, would this still be a sleeping giant, so to speak?

Nevertheless, passing on, should we allow General Ellis to participate in this hearing?

You commented about Soviet walkout.

To what extent has the inability of this administration to make a breakthrough in arms control to be attributed to Andropov's prolonged illness and eventual death?

In my judgment, that is likely to be one of the principal reasons that progress was not achieved.

Do you concur?

Mr. PERLE. I think even if there had been a desire for progress on the part of the Soviet general staff, which I believe is the principal agency in charge of these negotiations, Andropov's long illness would have prevented any significant progress.

Senator WARNER. That was an impediment?

Mr. PERLE. Yes.

Senator WARNER. Now, Mr. Secretary, as we in Congress begin to look at the current budget submission and the 5- to 10-year projection of weaponry, both by the United States and the Soviet Union, making this observation without violating any of the confidential nature of that material, it appears to me, as one Senator, that both nations are moving in the direction, for example, of mobility that denies national technical means of verification.

Given that assumption, what hope is there for a meaningful breakthrough in arms control?

I mean recognizing your premise that you can't stop the Soviets, we have to write tighter agreements?

I can debate as a lawyer whether we could or couldn't, but in the end it is the verification which is the means by which we support the arms control agreement?

Mr. PERLE. I believe the problem of verification is becoming more difficult and more complex, especially as we move toward mobile systems. There are some possible ameliorating factors, but I think we will have to approach the Soviets with a view to greater transparency on the part of the Soviet leaders.

In the absence of that transparency, I think we will continue down the path of unenforceable, unverifiable agreements.

At some point one has to ask the question whether the objective of arms control, which is greater stability and greater security, is best served by unverifiable arms control agreements or by the classical resort to self-defense measures.

Arms control is not an end in itself, although sometimes it is discussed in terms that suggest that.

Senator WARNER. We have to pursue more in truth the means of verification?

Mr. PERLE. That is correct.

Senator WARNER. Thank you.

Chairman TOWER. Senator Levin?

Senator LEVIN. Thank you, Mr. Chairman.

Welcome, Mr. Perle.

I have a number of technical questions that I would like to submit for the record, Mr. Chairman, if I could?

Chairman TOWER. Those will be submitted for the record and, Mr. Perle, if you would respond in writing in the time specified, we would be grateful?

Mr. PERLE. Yes, sir.

Senator LEVIN. I am interested in the question that Senator Nunn asked about the thoughts of this administration in complying with agreements that the other side, they feel, has violated, as to what the administration is going to do about it.

I understand Mr. Perle has stated they have under consideration the question of whether we should renounce the ABM Treaty, for instance.

Did I hear you correctly?

Mr. PERLE. I said one of the possibilities was to consider ourselves freed of comparable obligations. We are now in the process of studying medium- and long-term responses which necessarily would obviously include taking comparable action with respect to the same treaties and obligations.

Senator LEVIN. When are we going to have your decision on that?

We have been waiting for quite some time for this report. I supported Senator McClure's action in getting this report. I think the report establishes as much as we can on noncompliance by the other side.

When are you going to reach a conclusion whether or not you are going to act?

The rhetoric is terrific. The action seems kind of hollow, based on your own findings.

Mr. PERLE. Senator Levin, I am being as candid as I can. We are in a quandary. None of the options available to us is particularly attractive. They are all unattractive in the extreme if they become politically divisive.

I believe that discussions like the one we are having are an important preliminary to the decision process within the administration. We need to know how the Congress feels.

Senator LEVIN. You are going to wait for some consensus among 535 people before you make a recommendation and act?

Mr. PERLE. No.

Senator LEVIN. That is not leadership. You should decide what you want to recommend.

I don't think Winston Churchill would sit around. If he felt that the other side had violated the treaty, I don't believe he would wait for the House of Commons to come to some consensus.

Mr. PERLE. Indeed, he was unsuccessful in his efforts to produce a consensus in the House of Commons and a war that should not have happened did take place.

Senator LEVIN. He was not Prime Minister, was he?

Mr. PERLE. No.

Senator LEVIN. What is your timetable for deciding what action to take?

Mr. PERLE. We have, as I said, a study underway now. I cannot give you a precise time.

Senator LEVIN. Next month, this year?

Mr. PERLE. I would hope it would be sooner rather than later. I think anything we propose should be thoroughly discussed with the Congress, but nothing could be more damaging than a package that is rejected by the Congress.

Senator NUNN. Have all the violations been placed before the Standing Consultative Commission and the Soviets been confronted with all of them in that forum?

Mr. PERLE. Yes.

Senator LEVIN. What was their answer on encryption?

Mr. PERLE. For reasons of diplomatic protocol, the discussions that take place between us in the SCC are privileged. So, I would rather get into those details in a closed session.

I think it is nonsense, myself, and there is no reason why we should not discuss these publicly except we have agreed with the Soviets we would not communicate with our own public about the nature of the discussions in the SCC.

Senator LEVIN. They violate the agreement and you are going to keep the agreement? Is that what you are telling us?

Mr. PERLE. We are behaving in character, as they are.

Senator LEVIN. I take it seriously. I think the American people are entitled to know what the administration's factual findings are and conclusions relative to Soviet compliance.

I would like to know the timetable as to when and whether the administration is going to make recommendations, decisions, or take actions or not. I find even the absence of a timetable, frankly, disturbing.

I have technical questions on these violations which I will submit for the record.

I have not seen any timetable.

Mr. PERLE. If I may avail myself of the opportunity, I would like to hear your solutions because we are very much in need of sound solutions that can receive broad national support.

Senator LEVIN. I don't even understand your statement here that there are obvious political reasons for why you would not take some action.

What are the obvious political reasons?

Mr. PERLE. Everything, Senator. We are part of an alliance. There are other members of this alliance who don't regard these matters with the same seriousness that we do. They are rather more interested in preserving a climate, whether it be based on realism or not, a climate of happy relations between East and West. This is an intrusion on that climate.

Senator LEVIN. My time is up, Mr. Chairman.

Chairman TOWER. Senator Cohen?

Senator COHEN. Thank you, Mr. Chairman,

Mr. Perle, do you agree with the President's changes in tone in his public statement with reference to the Soviet Union—for example, the statement that he made last year, the so-called "empire of evil"—versus the kind of statement made in the State of the Union Message before the Joint Session of Congress?

Mr. PERLE. Senator, I always agree with the President.

Senator COHEN. You always agree with the President, so you agree with his new conciliatory tone in trying to create a better climate with the Soviets?

Mr. PERLE. I think the tonality of the relationship is important. It is a matter of timing when one uses what tone for the purpose or occasion.

The important thing I think is that there is a steadiness in the administration's approach to relations with the Soviets, which is to rebuild our strength.

Senator COHEN. I am just wondering in terms of the historical explanation you gave today and drawing the comparisons, comparing us with England, I suppose, and the Soviet Union with Hitler's Germany, whether that would be consistent with that new tone?

Certainly I don't think we fall in the category of England since the President, through you and others, is telling the truth to the American people. I am not sure that the comparison is helpful on the other side, trying to establish a better dialogue for resolving these difficulties.

Do you agree?

Mr. PERLE. I think the better dialogue has to be based on an honest facing of the facts that have to be discussed and not finessed.

Senator COHEN. I agree it requires a sober, objective balance in our approach to this.

I mentioned Richard Nixon before. I did not hear his entire speech. He gave his speech in New York. I assume it was a paraphrase of his book called "The Real Peace" in which he tried to strike a balance between those on the right who reportedly really don't want to have any relationship with the Soviet Union and those on the left who are characterized as dewy idealists who think the Soviets share our same goals.

He praised President Reagan on the one hand for building up the strategic forces, but on the other seemed to indicate in his book, and I assume by his statement last evening, that you have to pursue with equal vigor an arms control policy; otherwise the only alternative is to commit the world to a future confrontation of, ultimately, a final catastrophe.

Mr. PERLE. I don't think President Reagan would disagree with that. We have pursued the arms control track with great vigor.

Senator COHEN. I notice in the quote you have here about President Carter, you said this activity "could have been part of an effort to upgrade the SA–5 system for an ABM role or to collect data for use in developing ABM systems or a new dual SAM/ABM system."

I have the entire quote and it stated:

> If the activity was designed to upgrade the SA–5 system, it would have been only the first step in such an effort. Extensive and observable modifications to other components of the system would have been necessary, but these have not occurred.

Do you agree with the latter part of that statement?

Mr. PERLE. I think we are now seeing some of the other steps like the Krasnoyarsk radar. That is a particular example because the reference there is to a rather large series of Soviet tests.

The ABM Treaty had a provision, because we were concerned about the possibility that in the guise of testing air defenses the Soviets might in fact test the ability of our air defense missiles and radars to perform an ABM function.

So the treaty bans the testing of surface-to-air missile radars, air defense radars, in an ABM mode.

On repeated occasions the Soviets turned on their air defense radars during the period in which a reentry vehicle was being tracked and

very often those reentry vehicles simulated the characteristics of American reentry vehicles.

I don't think you have to be a genius to conclude they were cheating.

The Standing Consultative Commission never came to that conclusion and they never would have because of their desire not to face the realities.

Senator COHEN. Senator Nunn and Senator Warner indicated the need for a bipartisan policy. You are looking for guidance from the Congress on both counts, I assume.

Congress has expressed rather substantial support for a concept called builddown.

Do you look to that as the kind of support that is necessary? Do you support the builddown as it has been submitted to the Soviets and recommend solidly within your sphere of influence that is the way the administration should go?

Mr. PERLE. Yes; indeed, although I can't help but observe the build down will only be successful, like any other arms control, if the Soviets feel it is in their interest to support.

Senator COHEN. Would you enthusiastically support the build down?

Mr. PERLE. I have indeed.

Senator COHEN. That is all I have, Mr. Chairman.

Chairman TOWER. Senator Exon?

Senator EXON. Thank you, Mr. Chairman.

Mr. Perle, welcome back. It is good to have you here.

Mr. PERLE. Thank you, sir.

Senator EXON. I was looking over the material that you testified on today. Since I know you have been a keen student of all of this for a long, long time, it has some weight with this Senator and I expect some weight with the members of the committee.

Mr. PERLE. I appreciate that.

Senator EXON. I guess that we can all basically agree that the continuing threat of adventurism and expansionism on the part of the Soviet Union has us all concerned and we certainly should not be lulled into any false sense of security by what they do or do not do with regard to the Geneva talks that we all had hoped could be meaningful.

In reviewing your testimony and listening to what you have said about violations by the Soviets on a whole series of treaties, you say, I believe, that until we can get some kind of verification, that any action on our part to go into a treaty with them is the same thing as unilateral disarmament.

Does that capsulize what you said?

Mr. PERLE. No; a treaty that is not verifiable and where the Soviets fail to comply becomes in effect, if we are in compliance, unilateral disarmament.

Senator EXON. In other words, what you are saying is that we should not be practicing any form of unilateral disarmament with the threat that faces us today?

That is your view; is that right?

Mr. PERLE. That is right. My preference for eliminating that situation is not that we should follow the Soviets down the path of violating obligations, but that we should elicit compliance from them.

Senator EXON. And maintain our strength in the meantime as best we can?

Mr. PERLE. Yes, sir.

Senator EXON. Given all these alarming instances you cited today, do you agree with the administration's decision that we should indeed unilaterally disarm, by continuing to dismantle the Titan missiles before the MX is in place?

Mr. PERLE. Senator Exon, I am not technically competent to comment on the judgment, that I believe has been made that safety considerations, the age of the Titans and the capabilities of the Titans in relation to the cost of maintaining them and the risk associated with maintaining them, are such that it was deemed better to dismantle them.

I don't think we ought to retain forces in the inventory simply because we are involved in an arms control process with the Soviets, although I must admit to you that they have done rather a good job at trading a lot of old rubbish for new and modernized military systems and we have done rather a poor job of conducting ourselves in the same way.

Senator EXON. Wait a minute. Granted they have not the accuracy that follow-on missiles have, are you describing the Titans as junk?

Mr. PERLE. No. That was a reference to a lot of Soviet junk that under previous treaties they were permitted to trade in on a 1-for-1 basis.

We have never negotiated a comparable right on our part.

I think the judgment that it is not cost effective to maintain the Titans is one largely of a technical nature. I can't second-guess that, Senator.

Senator EXON. But I think you should be second-guessing that if you think it is wrong.

I guess one of the most alarming things I heard you say is that you always agree with the President of the United States.

Do you want to correct that for the record or do you want to let that stand?

Mr. PERLE. In my capacity as a minor official of the administration, whatever advice I have to give, once the President makes up his mind, I support the President's view.

Senator EXON. This committee's responsibilities are not to represent the decisions of the President. I guess I am agreeing with you that once a decision has been made, I think it is your responsibility to put your shoulder to the wheel.

I guess our responsibility here is to try to look beyond all of this, if we can, Mr. Perle, and make some decisions.

Let me ask you this question.

In your view, as an expert on arms control, is there any necessity for us at this time, today, to be phasing out the Titan missiles with regard to SALT I or SALT II or any other agreement with the Soviet Union, or is that basically a decision from the standpoint of phasing out these weapons that some say are not important to our strategic deterrent?

Mr. PERLE. I do not believe we are required by arms control agreements to phase out the Titan II.

Senator EXON. Thank you for that statement. I assumed that is what it would be because I know you are an expert in this area.

I must tell you there have been other people in the military who have sat where you sit and testified that we had to phase out the Titans because of limitations on arms control.

I frankly think it is a bunch of baloney, it is a bunch of bunk. I resent very much the military coming in and misleading us on things like that.

You can argue Titan pro and con. I don't think it brings up side issues.

Thank you for your statement.

Have you been called in by the President or his advisers with regard to the dismantling of roughly a third of our total ICBM-delivered yield strength or was that decision made without your knowledge, consent, or consultation?

Mr. PERLE. The decision that it was not cost effective to retain them was made by people who specialize in judgment about cost effectiveness and not by me. I have not been consulted on that.

Senator EXON. Would it be out of line if I asked you to make a study of that and report to this committee as to what your judgment is?

I hear these stories over and over again about the Soviet Union and I believe most of them.

We have had other briefings, as you know. In view of that, it just seems irresponsible to me for this administration to come up and tell us how bad things are at a time while they are unilaterally disarming.

I am glad to hear you say you do not think Titans are a bunch of junk. The Titans have 9-megaton warheads. That is by far the largest that we have. While it is not as accurate as the follow-ons, and I would agree with that, it certainly provides a degree of deterrent, it seems to me, that should be maintained at some reasonable maintenance cost at least until MX or something is there to take its place.

I have no further questions.

Thank you, Mr. Chairman.

Chairman TOWER. Senator Wilson?

Senator WILSON. Thank you, Mr. Chairman.

Mr. Perle, I would agree with your comment as to the need for tighter agreements, but let me ask this.

Do you think that we should proceed to engage in arms control talks with the Soviets or at this point plan to before we proceed?

Mr. PERLE. I think we ought to proceed with talks. The problem is that we can't get the Soviets to come to the table.

Senator WILSON. That is an accurate statement of our policy and theirs.

It may seem obvious, but what do you conclude from these violations and what do you conclude personally from the tests which the Soviets have conducted to be their true object in pursuit of the arms control process?

Mr. PERLE. Senator, I have concluded that the combination of the manner in which the agreements were negotiated originally and in particular the judgment that can be derived from the way in which the Soviet negotiators conducted themselves together with the pattern of violations that I have discussed suggest to me that the Soviets regard the arms control process as a device for accomplishing political objectives or even countering American programs, if they possibly can, but not as a means by which they intend to limit their forces.

37-081 O - 84 - 3

I believe that the current and projected Soviet forces under the existing arms control restraints are essentially what they would be in the absence of those constraints and that the only differences can be explained in terms of the liberties the Soviets have taken with the agreements.

In other words, they had not the slightest intention of altering their 5-year program when they entered into these agreements and between the combination of loopholes and circumventions and out-and-out violations they have managed to keep their program on track despite the existence of the agreements.

Senator WILSON. Do you think there is any other reasonable inference from their performance, as you described it, any other reason and inference other than that they will be encouraged to comply if and when they are required by the pattern of conduct on the part of the United States as opposed to legalistic agreements?

Mr. PERLE. Yes, I believe that treaties will only be complied with to the extent they are deemed to be in the interest of the Soviet Union.

They will comply with treaties if in the absence of compliance they expect something worse.

I don't think they have that expectation about this treaty and they have been cavalier with its terms.

Now, I hope that we will not fail to respond to these violations because I fear that if we do, we will have established once and for all the correctness of those in Moscow who must have argued as these violations were contemplated that we wouldn't do anything about them.

If they turn out to be right, if we strengthen that view within the Kremlin, then I think we have nothing to look forward to, but a continuing and expanding pattern of violations.

Senator WILSON. In that connection I assume you agree that for the United States to unilaterally cease ABM testing in hopes of a similar cessation on the part of the Soviets is naive?

Mr. PERLE. There is a very instructive history to the ABM argument. In 1970 when the ABM passed the Senate by one vote, the United States was well poised to deploy a nationwide system which I think even its critics acknowledged would have some significant capacity to protect our ICBM's here.

We were spending at that time in 1970 dollars a couple billion dollars a year on ABM. We entered into a treaty in 1972. In the years following 1972 we invested an average of $250 million a year in antiballistic missile research and technology.

The Soviet investment increased threefold from what it had been when the treaty was signed. Today, 12 years later, it is the Soviet Union that is better poised to deploy a nationwide ABM system than the United States, a complete reversal of the situation of a dozen years ago.

I think it is a terribly instructive example. We dropped our guard. The consequences are that the Soviets have reversed the relative position of our two countries.

The President is quite properly concerned about the magnitude of the Soviet ABM effort and we hope that this committee will approve that we both reorient and commit ourselves more deeply to research and development in the ballistic missile defense area.

Senator WILSON. Thank you, Mr. Chairman.

Senator WARNER. Mr. Chairman, could we have 1 more minute in open session?

Chairman TOWER. I would feel obligated to give everybody an opportunity to ask questions.

Senator WARNER. I would suggest 1 minute each.

Chairman TOWER. Fire away.

Senator WARNER. Mr. Secretary, will you comment on the merits of the current proposal to ban antisatellite weapons in face of the Soviet violations and should we achieve such a ban, what is the likelihood that we can verify it?

Mr. PERLE. Let me say first that I believe, Senator, it is absolutely unverifiable. We should not kid ourselves.

I sit in the interagency meetings where people talk about extreme difficulty of verification. What they really mean is impossibility. We simply don't know how to verify it because the activities associated with the deployment of satellites are virtually identical to the activities associated with the deployment of antisatellites.

Therefore, it would be unverifiable. Even if it were verifiable, in my judgment, and this is a personal view, it is foolish in the extreme to permit the Soviets to continue freely to make military use of space as they do today for such purposes as tracking our fleets and in wartime tracking our merchants; and in the pursuit of an unverifiable arms control agreement, to refrain, as some urge we do, from developing the capability to destroy those satellites in wartime and thereby protect one of the fundamental underpinnings of our NATO strategy, which is that we will have use of the seas to reinforce our troops and our allies in Europe, and to anticipate going through a conventional war in Europe with the Soviet satellite revealing the location of convoys across the ocean seems to me utter nonsense.

Now, the Soviets have today five times the number of submarines, U-boats, the Nazis had in World War II and we almost lost the battle of the Atlantic because we could not maintain merchant shipping in order to reinforce England.

Since then, of course, we now have to contend with Backfire and a variety of other threats—forget the fleet—to merchant shipping.

I believe it is in our national security interest to maintain a limited capability to deal with Soviet satellites that could greatly disrupt our conventional operations.

The program we have in mind is a conventional program. The notion that space is so sacred that we should protect it in order to have more violent wars on Earth seems to me to have the priorities exactly backwards.

Chairman TOWER. You have a minute, Senator Exon.

Senator EXON. Just one followup question, Secretary Perle.

I outlined a request to you as an internal security policy adviser to the President if you could advise this committee what you really think of the Titan situation.

Would it be improper for me to ask you to do something like that and give us a report as to what your views are?

Mr. PERLE. I will be glad to do that. I will make every effort to view it objectively.

I am not a technician, but I will review the technical argumentation and get back to you.

Senator EXON. Thank you, Mr. Secretary.
Thank you, Mr. Chairman.
[The information follows:]

The decision to deactivate the Titan II missile system was based on a comparison of the contribution this 20-year-old system could make toward the national security with the increasing cost of maintaining it. In our view, the Titan's strategic security contributions did not justify its cost and our limited resources could be better used in implementing the President's Strategic Modernization Program. Furthermore, there were serious concerns about public safety problems which had occurred with this very old system.

Nearly a year and a half after the decision was made to *deactivate* the Titan system by placing the missiles in storage and the launchers (i.e., silos) in caretaker status, a separate decision was made to *dismantle* those silos in accordance with procedures established in the SALT I Protocol. By dismantling the silos, the United States would be permitted, under the terms of the SALT I Interim Agreement, to increase the number of its submarine-launched ballistic missile (SLBM) launchers (i.e., tubes on nuclear ballistic missile submarines) from 656 to 710. Thus, this action would allow the United States to remain within the limits of the SALT I Interim Agreement without having to dismantle as many Polaris submarines as would otherwise be required as compensation for new Trident submarines.

As .to my own views on this matter, I have reviewed the information that formed the basis of the October 1981 decision to deactivate the Titan II Weapon System. I believe the Air Force was justified in making the judgment that it was not cost-effective to continue operating the Titan II system. I also share the Air Force's concern over the safety of such an old liquid-fueled system.

Although the Soviets have on occasion retained older weapon systems in order to obtain negotiating advantages, I do not believe that, in general, it is possible for us to behave similarly. Due to the open nature of the U.S. political system and its decisionmaking processes, the Soviets would be able to see through such a strategy relatively easily, and hence would be unlikely to give us much in return for a weapon system they know we regard as obsolete. Hence, I believe the funds needed to support the Titan II will provide us with greater negotiating leverage in START if they are allocated to the implementation of the President's Strategic Modernization Program.

Chairman TOWER. Senator Wilson, you have a minute.

Senator WILSON. I would rather get into closed session.

Chairman TOWER. Senator Levin?

Senator LEVIN. On Titan dismantlement you said you were not involved in that decision to dismantle the Titans unilaterally.

Mr. PERLE. I believe the decision was made in the course of putting together the budget. A lot of decisions get made that way.

I don't want to mislead you. I could have involved myself in that decision, but I didn't.

Senator LEVIN. Aren't there arms control aspects in that decision?

We are giving away the Titan missiles for nothing.

Don't you think there is some obligation to speak up about giving them away?

Why don't we ask for credit for something that has some real military capability?

Mr. PERLE. One of the real disadvantages of an open society like this in demonstrating with a closed society like the Soviet Union is that they know when we have equipment slated for dismantlement and will make no concession in order to hasten the process that they know is going to take place anyway.

Senator LEVIN. Why is it going to take place?

Mr. PERLE. I believe the decision is made that it is not a cost-effective investment of scarce defense dollars to keep them in operation.

Senator LEVIN. I am amazed that there is no participation by your shop. I am absolutely flabbergasted.

Mr. PERLE. There may have been participation by my shop. I did not personally participate.

Senator LEVIN. You are the head of that. I, frankly, find it hard to believe that is not even a factor as to whether or not to dismantle the Titan.

Thank you, Mr. Chairman.

Chairman TOWER. I would simply use my minute for comment that the Titan II is a relic of the age of the adoption of mutually assured destruction. It does not fit into our modern doctrine on nuclear warfare.

Further, I am more amazed that we would give up a new system like the B–1 or the enhanced radiation warhead without asking anything in return.

Senator EXON. Mr. Chairman, since you have editorialized, could I have a moment to editorialize in public session?

Chairman TOWER. No. This is the last editorial.

Let me defer to Senator McClure for 5 minutes of questions if the committee has no objection.

Senator McClure is Chairman of the Energy Committee. Senator Nunn said we should extend that courtesy.

Senator LEVIN. He is the author of the amendment we all supported as well.

Chairman TOWER. While we are still in open session, let me call on Senator McClure for 5 minutes.

Senator MCCLURE. Mr. Chairman and members of the committee, I thank you for allowing me to participate and to hear the testimony.

I have only a couple of questions I will ask.

The President's national security adviser in response to a question I asked earlier, since this report was made public, indicated that this report is a partial response to the congressional mandate for a report and that there would be other reports to follow.

Is that correct?

M. PERLE. That is correct, Senator.

Senator MCCLURE. The reason I ask that is that obviously there are a lot of different violations that have been charged and talked about and the report covered seven which the administration characterized as a range of different kinds of violations, different levels of evidence, and, therefore, different conclusions.

It was an illustrative list rather than an exhaustive list.

Am I correct?

Mr. PERLE. That is correct.

Even a preliminary look revealed an additional 20 or 25 cases that warranted close investigation. We began with these seven.

We are now looking at another group. Someday another administration will go through the list, but by that time there will probably be new ones.

Senator MCCLURE. Mr. Secretary, looking at this issue, it is an extremely urgent issue.

I apologize for having been called out of the room as members were asking questions.

It struck me earlier that one of the questions that must be addressed is why are we going through the exercise with respect to determining whether or not there is violation?

Second, what do you do about it if there is?

I would like to stress this, and hope that the administration does as well, that it has to do with how you conduct negotiations for future agreements and what kind of agreements you seek.

At one point in your testimony, and I think it was an aside rather than a part of the prepared testimony, you said: "We have evidence, but it is not what we call courtroom evidence."

There are those who are suggesting you should not claim violation unless you have the kind of evidence that will stand up in court.

If that is the case, isn't it true that it makes verification almost impossible and if that verification is almost impossible, any agreement is almost impossible?

Mr. PERLE. There is no question, Senator, that there are those who insist that we build up evidence associated with a system of laws and procedures in which witnesses can be cross-examined and investigators have free access to the scene of the crime.

That is an entirely inappropriate standard of evidence in a situation like this.

It was one of the early judgments of this administration that in examining the possible Soviet violations, it would be guided by the standard that the preponderance of the evidence would be decisive.

Nevertheless, in the hundreds of hours of deliberations that followed there was enormous pressure from all parts of the Government to set a standard of evidence that was close to incontrovertibility.

That is why you will note each Presidential judgment is preceded by a word like "likely" or "almost certain" or "probably," although in some cases we believe that the evidence is in fact open and shut.

Now, if one adopts the preponderance of the evidence as a standard and combs these agreements rather carefully, the list would be a lot longer than the seven areas that have been identified.

Senator MCCLURE. There is a second problem with respect to the evidentiary standard. That is, much of the evidence you have is from intelligence.

The Soviets would love to know how accurate our intelligence is. They would like to be able to force us to reveal all that we know in order to substantiate the charge.

How does the administration cope with that problem with respect to the charges of violation?

Mr. PERLE. It is a very serious problem. I would much have preferred to share with you greater detail on some of these violations because I think it clinches the case, but the fellow from Tass is sitting behind me. I don't know why he is here.

Everything I said today is secret in the Soviet Union and I doubt that a word will appear in Tass. Under those circumstances, we obviously can't share the level of detail that I think would cause even the most skeptical observer or reader of this report to conclude that there are very serious violations indeed.

All I can say to you is that in coping with this problem we should recognize it at the beginning of the negotiating process and not discover it only at the end.

Senator McCLURE. Finally, Mr. Chairman, I do appreciate your allowing me to participate in this hearing. Mr. Perle, over 20 years ago Fred Ikle, who is now a member of the administration, wrote an article entitled "After Detection, What?"

Senator Nunn raised that issue in his opening remarks today after your statement.

What are we doing about it?

Some have suggested that any violation of the treaty should be met with an abrogation of the treaty.

My own reaction has been that just as there are gradations of seriousness of violations, there should be gradations of response to that violation.

What is your response?

Mr. PERLE. I certainly agree with that. The response should be measured, it should be proportionate, it should be sufficient to deter further violations.

We are now, as I said, examining various responses that might be made. The first hurdle, and it was a hurdle, was to conclude the report and face up to the evidence and make what I believe was a courageous decision on the part of the President, the first President in this modern era of arms control, to say that the Soviets are in violation.

I must say I believe that the evidence available to some of President Reagan's predecessors would have justified a similar finding, but they didn't make that finding.

This President is subject to those political pressures as his predecessors were, but he rose above them and I think met his obligation.

I must say that the action of the Congress in asking for this report was an important element in establishing that this was being done on a basis of cooperation between the branches.

Senator McCLURE. Mr. Secretary, I don't want to detract a minute from either the contribution you have made or the determination and courage necessary of the President in doing it. But the institutional pressures against making any statement are very great.

In our Government it is a lot easier to forestall something being done than to generate support for something being done.

You were asked the question whether or not our SCC representative was consulted in the preparation of your statement today.

The very consultative process in our own Government is enough to stop any action.

Mr. PERLE. It sure takes a lot of time.

Senator McCLURE. You have so many positive hurdles to get over it is amazing you get anything done.

I commend the Chairman of this committee for holding these hearings and for the assistance he has been in making sure that this process didn't stifle our need to know and our need to inform the American public what the facts are.

Thank you again, Mr. Chairman.

Chairman TOWER. Gentlemen, we will now go into closed session.

## EXECUTIVE SESSION

The committee proceeded in executive session at 11:48 a.m., Senator John Tower (Chairman), presiding.

Chairman TOWER. Mr. Secretary, let me defer first to Senator Warner.

Senator WARNER. Mr. Secretary, in my opening question to you I pointed out that the evidence coming before the Armed Services Committee and indeed other committees of Congress points to more and more diversification in the Soviet strategic system and primarily in the area of mobility.

We have seen now the rail mobile system, the truck mobile system, not confined to the bases designated by the Soviet Union as military, but using the existing highways in the Soviet Union and existing rail system.

Given that trend plus your well-documented historical perception that the Soviets will do anything they can to exploit these agreements, is there any hope of achieving a meaningful verifiable arms control agreement in the future?

Mr. PERLE. [Deleted.] I think the increasing problem of verifiability will eventually be faced up to. I don't think we have done so yet.

Doing so will lead to reduced, more realistic, expectations about the role of arms control in protecting and enhancing our security. I think those expectations now are out of all proportions to reality.

Senator WARNER. That is the question we have, and I use that not as a political "we," but collective "we." Both political parties, several administrations, have held this concept out to the public as a means to relieve the tension substantially and make the world more peaceful. They are seized upon.

You know the realities of the way politicians react to public expression. When are we going to have the courage to go out and confront the public with the realities and the likelihood that we are not going to achieve any major stability through arms control agreements, indeed only marginal?

Mr. PERLE. That is a message that any politician would find difficult to carry and for obvious reasons.

I hope that we will get the national debate that we really ought to have on this subject. I fear that we will get it in a highly partisan context in this election year.

When you see one candidate accusing another of being too late in endorsing the freeze, the freeze is a rotten, miserable idea that would do great harm to our security, then I am afraid the debate will take this highly partisan context.

Senator WARNER. It is too late to do anything about it. I will do what I can to see what we can do to create a Government structure that is truly bipartisan in the executive branch and legislative branch in this area.

I have not given up hope. I am convinced whatever hope there is has to be predicated on a solid bipartisan base that will transition from one administration to another.

I will come back with more questions.

Chairman TOWER. Senator Exon?

Senator EXON. Thank you, Mr. Chairman.

Secretary Perle, do the Russians have or are they deploying any chemical or biological agents which we know so little about that we may not have current defenses or countermeasures?

Mr. PERLE. Senator Exon, I believe we have evidence that the Soviets are actively engaged in research [deleted].

Senator EXON. Can you tell us anything in closed session that we have not seen in the press with regard to such agents being used in Afghanistan or in Southeast Asia?

Mr. PERLE. I am not quite sure on what has appeared in the press at this point after all the discussion of it, but let me make a couple of points.

One is that the evidence we have tends to be mutually reinforcing. That is, the eye witness accounts, the medical examinations of victims, the autopsies, and we have had these both in Afghanistan and in Southeast Asia, are all consistent with the reports we have had about the manner in which the agents were delivered and the types of agents that we believe we have detected.

The case, in my judgment, is a very powerful one. We have had some information indicating the presence in Laos, as I recall, of a group of Soviet officers especially trained in chemical warfare, highly circumstantial evidence, but pretty persuasive.

We, I believe, have now had confirmation of some of our findings with respect to mycotoxins from at least one other country.

[Deleted.]

Senator EXON. We seem to be hit from time to time with new ideas, new weapons, new thoughts, yet we don't know what their stage of research and development is: But what are the chances, in your opinion—you must think about this—that we may be missing a weapon system or an entire weapon system that they may be working on?

Do you feel our intelligence is sufficient that we do get some lead time advance notice?

I am talking about a breakout now in ABM or anything else along that line that would further destabilize the balance of power or deterrent, call it what you will.

Mr. PERLE. Senator, I think that—for a number of reasons—we do not pay sufficient attention to the possibility that we will be surprised.

One is that it is difficult bureaucratically to concede that, despite our intelligence organizations, there are uncertainties and imponderables with which we have to live.

Second, I believe we chronically underestimate the extent to which the Soviets engage in concealment and deception in order to mask programs that they have underway.

We tend to assume when we see Soviet missile systems that we are seeing the full military systems performing as they would perform in wartime.

My own view, and it is an impressionistic view to be sure, is that the Soviets do not reveal everything they have to us any more than we reveal everything we have to them, and that we should expect to be surprised on the battlefield.

We will surely discover radar frequencies that we don't know they are capable of utilizing, and communications systems the existence of which we may not be able to identify.

So, in a technical sense I expect we will see a lot of surprises and I rather expect the Soviets are engaged in a quite vigorous program of deception deliberately leading us to believe that we have seen things that we haven't.

[Deleted.]

That is one interpretation of Soviet behavior.

Another interpretation of Soviet behavior is that they [deleted].

This is a never, never world when you get into concealment and deception. I don't think we take it seriously enough. I think it is important that the Intelligence Committees of the Congress press the intelligence establishment, which gets awfully self-satisfied, to reexamine whether it is taking sufficient account of the attempt at deception. I expect we will be surprised.

Senator EXON. Thank you.

Thank you, Mr. Chairman.

I have another question or two if we have a short second round.

Chairman TOWER. Senator Wilson?

Senator WILSON. Thank you, Mr. Chairman.

Mr. Secretary, I agree heartily with your assessment about the antisatellite program and I think you have painted a rather stark picture of it.

Is there any indication by the Soviets that they are doing any less than pursuing a space-based defense program, antisatellite program, of their own with enormous vigor?

Mr. PERLE. That correctly characterizes the Soviet program. They have an ASAT capability. They have tested it. They make no bones about it. They are investing very sizable sums in exploitation of space. $22 billion is the figure on the Soviet space program this year.

Senator WILSON. This year?

Mr. PERLE. This year. It is roughly double our investment and much of our investment is for nonmilitary purposes.

Senator WILSON. This is not the first year they have engaged in that.

Have you any idea of the cumulative amount that they have spent or intend to spend?

Mr. PERLE. I would have to get that for the record. It has been a much larger investment than we have.

Senator WILSON. Mr. Chairman, I would like to have it for the record.

I also would like to have for the record, and it will be classified, the assessment of where the Soviets are and where we can expect them to be in the next 3 years in terms of developing space-based defense mechanisms of their own and also their antisatellite capability.

Mr. PERLE. We will be glad to do that.

[The information follows:]

**The cumulative dollar cost equivalent of the Soviet space program through 1983 is estimated at over $250 billion (in constant 1981 US dollars). Their annual expenditure has more than doubled during the past 5 years, reaching over $22 billion for 1983. Continued growth in the Soviet space program is anticipated, but at a slower rate for the foreseeable future. Current Soviet ASAT capabilities include an operational orbital interceptor system, ground-based test lasers with probable ASAT capabilities, [deleted] and the technological capability to conduct electronic warfare against space systems.**

**The orbital interceptor system has been considered operational since 1971. [Deleted] The orbital interceptor has no direct applicability to BMD.**

There are [deleted] test facilities at Saryshagan that are assessed to have high-energy lasers [deleted] with the potential to function as ground-based ASAT weapons. [Deleted.]

The Soviets have had a space-based laser project underway for at least a decade. A space-based prototype laser weapon could be orbited in the late eighties with a limited ASAT capability. An operational space-based laser ASAT capability is not anticipated until the early to mid nineties. A prototype space-based laser BMD system is not expected until the mid to late nineties and an operational system until after the turn of the century. [Deleted.]

Mr. PERLE. I think there are areas in which the Soviets are ahead of us in space, significant areas.

The satellites, to which I referred earlier that can track our fleet and merchant shipping, are, I believe, superior to anything we have, [deleted].

Senator WILSON. In terms of their space-based defense systems, where are they placing the major emphasis?

Mr. PERLE. They have not found it necessary to choose, as I believe we are in the process of choosing, between near-term programs and long-term programs.

So, they are both building a major radar infrastructure, of which the radar at Krasnoyarsk is a component, which together with development in the interceptor area gives them a very high accelerating interceptor comparable to our Sprint.

They have a longer range exoatmospheric interceptor comparable to our own Spartan.

They have an easily moveable, rapidly deployable ABM potential.

They are doing a lot of things of a near- to mid-term nature including things that would enable them to break out of the ABM Treaty.

Beyond that they have a very rigorous research and development program with respect to directed energy lasers and other exotic space-based technology.

So, they are doing both.

Senator WILSON. Mr. Chairman, I would like to have for the record some amplification of the statement that Secretary Perle has made with specific regard as to the breakout potential.

Mr. PERLE. I will be glad to get that for you.

[The information follows:]

STRATEGIC DEFENSE

Strategic defenses are vital to the overall Soviet strategy for nuclear war. As noted above, the operations of Soviet defensive and attack forces are closely coupled; attack strategies are geared in large part to the reduction of the defensive burden. In the Soviet concept of a layered defense, effectiveness is achieved through multiple types of defensive capabilities compensating for shortcomings in individual systems and for the likelihood that neither offensive strikes nor any one layer of defense will stop all attacking weapons. The Soviets have made major improvements in their deployed strategic defenses and have invested heavily in ABM-related development.

EARLY WARNING

*Current Systems and Force Levels*

The Soviets maintain the world's most extensive early warning system for both ballistic missile and air defense. Their operational ballistic missile early-warning system includes a launch detection satellite network, over-the-horizon radars and a series of large phased-array radars located primarily on the periphery of the USSR. Their early-warning air surveillance system is composed of an exten-

sive network of ground-based radars linked operationally with those of their Warsaw Pact Allies.

The current Soviet launch detection satellite network is capable of providing about 30 minutes warning of any US ICBM launch, and of determining the area from which it originated. The two over-the-horizon radars the Soviets have directed at the US ICBM fields also could provide them with 30 minutes warning of an ICBM strike launched from the United States, but with somewhat less precision than the satellite network. Working together, these two early-warning systems can provide more reliable warning than either working alone.

The next layer of operational ballistic missile early warning consists of 11 large HEN HOUSE detection and tracking radars at six locations on the periphery of the USSR. These radars can distinguish the size of an attack, confirm the warning from the satellite and over-the-horizon radar systems and provide some target-tracking data in support of ABM deployments.

Current Soviet air surveillance radar deployments include more than 7,000 radars of various types located at about 1,200 sites. These deployments provide virtually complete coverage at medium to high altitudes over the USSR and in some areas extends hundreds of kilometers beyond the borders. Limited coverage against low-altitude targets is concentrated in the western USSR and in high-priority areas elsewhere. Since 1983, the Soviets have begun to deploy two new air surveillance radars. These radars assist in the early warning of cruise missile and bomber attacks and enhance air defense electronic warfare capabilities.

*Force Developments*

Since last year, an additional new large phased-array radar for ballistic missile early warning and target-tracking has been discovered under construction in Siberia. This brings to six the number of such radars operational or under construction in the USSR. This new radar closes the final gap in the combined HEN HOUSE and new large-phased array radar early-warning and tracking network. Together, this radar and the five others like it form an arc of coverage from the Kola Peninsula in the northwest, around Siberia, to the Caucasus in the southwest. HEN HOUSE coverage completes the circle. The newly identified radar almost certainly violates the 1972 ABM Treaty in that it is not located on the periphery of the Soviet Union nor is it pointed outward as required by the Treaty. The complete network of these radars, which could provide target tracking data for ABM deployments beyond Moscow, probably will be operational by the late 1980s.

The Soviets may establish a network of satellites in geostationary orbit designed to provide timely indications of SLBM launches. Such a network could be operational by the end of the decade.

The USSR has a strong research and development program to produce new early warning and other air surveillance radars, as well as to improve existing systems. More than 20 types of these radars are currently in development. In addition, the Soviets are continuing to deploy improved air surveillance data systems that can rapidly pass data from outlying radars through the air surveillance network to ground-controlled intercept sites and SAM command posts. These systems will continue to be deployed until all areas are equipped with them.

## BALLISTIC MISSILE DEFENSE

*Current Systems and Force Levels*

The Soviets maintain around Moscow the world's only operational ABM system. This system is intended to afford a layer of defense for Soviet civil and military command authorities in the Moscow environs during a nuclear war rather than blanket protection for the city itself. Since 1980, the Soviets have been upgrading and expanding this system within the limits of the 1972 ABM Treaty.

The original single-layer Moscow ABM system included 64 reloadable above-ground launchers at four complexes for the GALOSH ABM-1B, six TRY ADD guidance and engagement radars at each complex and the DOG HOUSE and CAT HOUSE target-tracking radars south of Moscow. The Soviets are upgrading this system to the 100 launchers permitted under the Treaty. When completed, the new system will be a two-layer defense composed of silo-based long-range modified GALOSH interceptors designed to engage targets outside the atmosphere; silo-based high-acceleration interceptors designed to engage targets within the atmosphere; associated engagement and guidance radars; and a new large radar at Pushkino designed to control ABM engagements. The silo-based launchers

may be reloadable. The new Moscow defenses are likely to reach fully operational status in the late 1980s.

*Force Developments*

The USSR has an improving potential for large-scale deployment of modernized ABM defenses well beyond the 100-launcher ABM Treaty limits. Widespread ABM deployment to protect important target areas in the USSR could be accomplished within the next 10 years. The Soviets have developed rapidly deployable ABM system for which sites could be built in months instead of years. A typical site would consist of engagement radars, guidance radars, above-ground launchers and the high-acceleration interceptor. The new, large phased-array radars under construction in the USSR along with the HEN HOUSE, DOG HOUSE, CAT HOUSE and possibly the Pushkino radars appear to be designed to provide support for such a widespread ABM defense system. The Soviets seem to have placed themselves in a position to field relatively quickly a nationwide ABM system should they decide to do so.

In addition, the Soviets are deploying one surface-to-air missile system, the SA–10, and are flight-testing another, the mobile SA–X–12. The SA–X–12 is both a tactical SAM and antitactical ballistic missile. Both the SA–10 and SA–X–12 may have the potential to intercept some types of US strategic ballisic missiles as well. These systems could, if properly supported, add significant point-target coverage to a widespread ABM deployment.

Soviet-directed energy development programs involve future ABM as well as antisatellite and air-defense weapons concepts. By the late 1980s, the Soviets could have prototypes for ground-based lasers for ballistic missile defense. The many difficulties in fielding an operational system will require much development time, and initial operational deployment is not likely in this century.

Ground- and space-based particle beam weapons for ballistic missile defense will be more difficult to develop than lasers. Nevertheless, the Soviets have a vigorous program underway for particle beam development and could have a prototype space-based system ready for testing in the late 1990s.

## ANTISATELLITE SYSTEMS

*Current Systems and Force Levels*

Since 1971, the Soviets have had the capability to attack satellites in near-earth orbit with a ground-based orbital interceptor. Using a radar sensor and a pellet-type warhead, the interceptor can attack a target in various orbits during its first two revolutions. An intercept during the first orbit would reduce the time available for a target satellite to take evasive action. The interceptor can reach targets orbiting at more than 5,000 kilometers, but it probably is intended for high priority satellites at lower altitudes. The antisatellite interceptor is launched from Tyuratam where two launch pads and storage space for additional interceptors and launch vehicles are available. Several interceptors could be launched each day from each of the pads. In addition to the orbital interceptor, the Soviets have two ground-based test lasers that could be used against satellites. The Soviets also have the technological capability to conduct electronic warfare against space systems.

*Force Developments*

Emerging directed energy technologies are seen by the Soviets as offering greater promise for future antisatellite application than further development of orbital interceptors equipped with conventional warheads. The Soviets could deploy antisatellite lasers to several ground sites in the next 10 years or they could deploy laser-equipped satellites either available for launch on command or maintained in orbit, or could deploy both. Such systems would have significant advantages over a conventional orbital interceptor. These include longer-range, multishot capabilities and a greater capacity to overcome the target's defensive measures.

The Soviets could test a prototype laser antisatellite weapon as soon as the late 1980s. Initial operational capability could be achieved between the early- and mid-1990s.

Since the early 1970s, the Soviets have had a research program to explore the technical feasibility of a particle beam weapon in space. A prototype space-based particle beam weapon intended only to disrupt satellite electronic equipment could be tested in the early 1990s. One designed to destroy the satellites could be tested in space in the mid-1990s.

Mr. PERLE. There is in the intelligence community a study underway now on this. It is a very serious problem. It is one that has not been given sufficient attention, in my judgment.

I think there is a tendency simply to refuse to believe that the Soviets would openly abrogate the ABM Treaty by breaking out. In a sense we are now recognizing we are taking on faith continuing Soviet compliance.

What we see is a pattern of activity that gives them the potential to break out very rapidly and we are not equipped to deal with it.

Senator WILSON. That is what I would like to have spelled out.

I would also, Mr. Chairman, like to make a request that while these responses will be classified to the extent that the response can be made unclassified——

Chairman TOWER. In other words, they can be sanitized?

Senator WILSON. Exactly.

Mr. PERLE. We will do the best we can on it.

Senator WILSON. I think that would be very useful.

Chairman TOWER. Senator Nunn?

Senator NUNN. I have just a couple of questions on that ABM breakout. I think it is something we need to be really concerned about. I share that concern.

I am also concerned that the Soviets may feel they have been given help, public opinion-wise, because the President made such a pitch publicly about what we were going to do in the whole ABM area and how that was such a wonderful thing for world peace.

It seems to me they have been given a carte blanche political propaganda tool they can use very much to go along with an ABM breakout. I don't think the President intended to do that. I am not suggesting that.

I think that is a real danger. All they have to do is quote back how these ballistic missiles defenses are wonderful for peace and make the world safe and abolish offensive weapons and all that business. Everybody knows we don't have them.

Are you concerned about that?

Mr. PERLE. Could I address that off the record?

Senator NUNN. Yes.

[Off the record.]

Senator NUNN. On another question, are the Soviets showing any sign of violations by either the SS–X–25 or the Krasnoyarsk radar?

Mr. PERLE. Are they showing signs of correcting it?

Senator NUNN. My understanding is that we confronted them with this and we asked them to stop construction.

Mr. PERLE. That is correct.

Senator NUNN. Have we received any positive response on that?

Mr. PERLE. I don't believe we have. They certainly have not told us they would respond positively.

[Deleted.]

Even though the thing is 22 stories high and two football fields in length, [deleted].

It is something to bear in mind when we talk about verifying MBFR and other more difficult propositions. [Deleted.]

Senator NUNN. If you could give us your personal view and not speaking for the administration at this point, what are our options?

We can't build into the treaty any sanctions. I don't think they will agree that if XX happens in a treaty, if you breach ABC, we will do XYZ.

What are our options? What things are you thinking about that we can do when, if, and as they breach these agreements?

Mr. PERLE. The options in the current case are not very attractive.

[Deleted.]

So, the options are not very attractive. I could not say all of that in open session.

The reason why I think it is terribly important that there be some real collaboration between the Congress and the Executive on this is that it is probably the only way to produce a set of responses that will be both sufficient to deter future violations and by virtue of broad bipartisan executive-congressional collaboration outside the realm of the political.

I don't know whether it can be done or not. Those of us who were concerned to bring these violations to your attention took the position that it was neither necessary nor likely that we could come to sensible conclusions at that stage about how to respond.

The first priority was to lay this before the Congress and ask Congress to share the burden with us of some responsible set of decisions on how to proceed.

Senator NUNN. [Deleted.]

Mr. PERLE. I tell you what I would like to see.

I would like to see an increase in the defense budget separate and apart, legislated separately, a supplemental bill called "The Arms Control Violations Corrective Act of 1984," or whatever, that would mandate some specific military programs above and beyond anything that results from the process we are now engaged in.

Chairman TOWER. You mean discretionary funds of some sort?

Mr. PERLE. I think we could lay out a specific program. If you try to build penetration aids as a hedge against the Soviets' radar infrastructure [deleted].

If it was additional money over and above and can't be used to support programs presently in the service budget, [deleted].

Senator NUNN. We are bumping up against the economic reality of the defense budget. At other periods in history that might have been an attractive option.

Is there an in-between position whereby we could lay down some kind of resolution? Say we want the President to look at one, two, three, four, five and unless the Soviets come in compliance on the violations, enumerate them in a report and report to the Congress such a package in January of next year so that we at least are serving notice we are serious about that?

Mr. PERLE. I think the answer is yes, but I can't fill in the blanks at this point.

That sort of congressional response is a vital element in any national response to the problem. I don't think we can do it alone in the administration. [Deleted.]

Senator NUNN. Thank you. I think my time has expired, Mr. Chairman.

Chairman TOWER. Senator McClure?

Senator McCLURE. Senator Exon has some questions. I defer to him.

Chairman TOWER. Senator Exon. I give you 2 minutes, Jim, because we have a briefing to follow this.

Senator EXON. Mr. Secretary, suppose the President of the United States called you in this afternoon and said he was canceling or delaying substantially the deployment of the MX missile. I know that is not very likely to happen, but I will phrase it in that context.

What would be your advice to him if he made that decision and would one of the things you would advise is that probably we should halt dismantlement of the Titans at the present time?

Mr. PERLE. Obviously, I haven't had time to think this through.

Senator EXON. I am just picturing if the President called you this afternoon.

Mr. PERLE. I think I have a sense of the question you are trying to raise.

I think I would feel bound to say that that action on the MX coming from the administration would be bad in any case, would seriously weaken our position at the talks.

Senator EXON. Let us give all that.

Mr. PERLE. I would urge that we look for a package of compensatory measures. Whether retaining the Titans would appear on that list, I can't say.

I still owe you a more serious response and I will give it to you and if I can come back to this question at that time, I will prefer to do it that way.

Senator EXON. Mr. Secretary, what do you believe is the greatest potential threat and I know there are serious threats from the Soviets in all areas, but are we more likely, in your opinion, to be tested in, let us say the next 5 to 10 years by the Soviets in the nuclear area or further expansionism and adventurism in what is generally referred to as conventional warfare?

Mr. PERLE. Unquestionably the latter, but in large measure as a consequence of what has happened to the nuclear balance and what I think is likely to continue to happen to the nuclear balance.

What I worry about, Senator, what I have worried about for some time now, is not that the Soviets will initiate a nuclear war, that seems to me the least likely contingency, but that as the nuclear balance shifts against the United States, together with a very serious conventional deficiency in Europe and elsewhere, that we will find ourselves unable to engage the Soviets in some trouble spots around the world where we should be prepared to engage them.

And, recognizing our inability and unwillingness to engage them, they will derive the political benefits of victory without ever having to fight a war.

That is what troubles me about the relative position of the two countries.

Senator EXON. One last question, Mr. Chairman, and I thank you and the Secretary.

If the Soviet Union and the United States can't come to some kind of agreement, which we all hope and pray they can for all the obvious reasons, and if we go ahead with Star Wars or new initiatives or new frontiers, you know, 15 years down the pike, I worry about that continuing tension. What happens and how long will it take, in your

opinion, before there is a general spread of nuclear technology? How many years in the future do you think it likely would be before Khomeini or Qaddafi might have at least some crude devices in their inventory? This worries me fom the standpoint that the Soviets and the United States could inadvertently be drawn in if such weapons were used?

How long is it going to take them to get nuclear weapons in their inventory?

Mr. PERLE. I don't think we know that. There is a history of wrong predictions in this area. There is no doubt that there is work going on.

There is no doubt that the very substantial money that some governments are prepared to pump into this is going to produce suppliers.

Senator EXON. Including the two I mentioned?

Mr. PERLE. Yes, I am very concerned about that. We are doing what we can to try to restrain the flow of components to the potential developers of nuclear weapons, but it is a tough proposition.

[Deleted.]

Senator EXON. Would it be reasonable to assume that either one or both of those countries that I mentioned could conceivably have something like that in the next 5- to 10-year timeframe?

Mr. PERLE. I wouldn't want to put a time period. I am not in on the recent intelligence [deleted].

It doesn't matter whether it is 5, 10, or 15. I believe it is going to happen someday.

Senator EXON. Thank you.

Thank you, Mr. Chairman.

Chraiman TOWER. Senator McClure?

Senator MCCLURE. Mr. Chairman, just a couple of questions and again I thank you for allowing me to participate.

Maybe this question was asked. If so, I apologize.

Do we have any intelligence that links the chemical weapons being used in the Iran-Iraq war having been supplied by the Soviet Union or any other specific source?

Mr. PERLE. I simply don't know the answer to that.

I do know that we stopped the shipment in a U.S. port 2 days ago of chemicals that appeared to be the chemicals necessary for the production of mustard gas.

If what the Iraqis are using is mustard gas, it has a fairly common chemical base.

Senator MCCLURE. You say we stopped a shipment?

Mr. PERLE. Yes.

Senator MCCLURE. Was that in the United States?

Mr. PERLE. Yes.

The same chemicals are produced in the production of fertilizer. It may be a coincidental situation. The Custom Service stopped it.

Chairman TOWER. At least they have the capability to produce it.

Mr. PERLE. I should think they would have the capability to produce mustard gas, yes.

Senator MCCLURE. Do we know how many SS–20's are deployed?

Mr. PERLE. SS–20's?

Senator MCCLURE. Yes.

Mr. PERLE. [Deleted.]

More important perhaps, we can't be sure how many missiles are associated with each launcher. So, while we think the number of SS–20's is somewhere in the vicinity of 380, that is a statement about the number of launchers.

The number of missiles could be [deleted].

Senator McClure. Is there evidence that associated with each reload-refire capability [deleted].

Mr. Perle. There is evidence, [deleted].

Senator McClure. If we assume for a moment on the threshold test ban treaty that the evidence of violation is on the order of magnitude that many believe, but not everyone agrees, that the 150-kilometer limit has been violated [deleted] if that is a fact, what do they gain by that violation?

Mr. Perle. It would produce a generation of nuclear warheads that they could not produce if they were restrained by the testing limits.

This was a particularly interesting case because the evidence was not courtroom evidence by any means. In fact, about this particular issue there is a great deal of controversy. I must say that I believe that the community of seismologists who for years now have had a virtual monopoly on judgment about compliance have tended to overlook non-seismological evidence which I found enormously persuasive and the President found it sufficiently persuasive to say what he said about it.

[Deleted.]

I call that an unverifiable agreement. We are under pressure to ratify it and I hope we won't ratify it precisely because it is unverifiable.

Senator Nunn. What are the dangers we face by ratifying that we don't face now?

Mr. Perle. I think it is a mistake to adhere to it without ratifying it, to be blunt about it.

Senator Nunn. It seems to me the way we are now we have all the downside risk. Ratifying the agreement which is not verifiable is not worse than complying with it when it is unverifiable.

Mr. Perle. As you know, our policy has been to go to the Soviets and ask them to renegotiate the verification provisions. They have refused to do so.

My own view is that we ought to tell the Soviets under the circumstances, we are not prepared to ratify it and be done with it. But that is an act of political will that has not yet been decided upon.

Chairman Tower. Mr. Perle, what can you tell us about the Soviet's encryption of their missile systems tests?

Mr. Perle. I believe that is a sign of increasing aggressiveness in interfering with national technical means of verification. Most likely it is related to the near indifference that has been displayed thus far in the country as a whole with respect to their interference with other national technical means. It is a very serious matter.

As I said earlier, [deleted]. It is a very serious matter.

Chairman Tower. Thank you very much, Mr. Perle.

Gentlemen, we will next proceed to a briefing by William Graham who is chairman of the President's General Advisory Committee on Arms Control and Disarmament.

[Deleted.]

Mr. Perle, thank you very much for appearing.

Mr. Perle. Thank you, Mr. Chairman.

[Deleted.]

[The briefing by Mr. William Graham, chairman of the President's General Advisory Committee on Arms Control and Disarmament follows:]

[Deleted.]

Senator EXON [presiding]. Thank you, gentlemen.

I am sorry, but we are late for a vote. We have to be excused.

Thank you for very interesting testimony. I am sure we have all learned a great deal. There will be questions for the record.

[Questions with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR JOHN TOWER, ANSWERS SUPPLIED BY RICHARD PERLE, ASSISTANT SECRETARY OF DEFENSE (INTERNATIONAL SECURITY POLICY)

NONCOMPLIANCE ISSUES

Senator TOWER. Both you, today, and Ambassador Rowny, in a recent appearance before the Committee, have expressed serious concern about the effectiveness of the Standing Consultative Commission (SCC) in resolving our concerns about Soviet noncompliance. What can be done to enhance the SCC effectiveness?

ANSWER. The issue is not really the SCC. The SCC is not a judicial commission. It does not make decisions, and it cannot order the Soviet Union to comply with arms control agreements. It is merely a negotiating forum. The problem is Soviet unwillingness to live up to the obligations that they have undertaken, not SCC effectiveness.

I have put emphasis on the failure of the SCC to resolve compliance concerns because previous Administrations, in efforts to sell unverifiable arms control agreements to Congress, have created a virtual mythology about it. The fact of the matter is that serious compliance problems have generally not been resolved by the SCC or in any other manner.

Senator TOWER. Can you characterize the reaction of our allies to these violations?

ANSWER. [Deleted.] We believe it is important to maximize pressure upon the Soviet Union to resume compliance with agreements they have violated.

Senator TOWER. When would Soviet arms control violations be serious enough to justify extraordinary programmatic responses?

ANSWER. We are seriously concerned about the pattern of Soviet arms control violations and are studying possible military responses that may be required. It is difficult to give a general answer to this question because of the variety of the violations, the differences in their military significance, and the uncertainties in Congressional funding for the strategic weapons modernization program. Clearly Soviet deployment of prohibited ABM capabilities would require programmatic responses. We certainly need to counter Soviet violations of the chemical and biological weapons treaties. Soviet SALT II violations increase the need for the strategic modernization program, particularly the MX ICBM.

---

QUESTIONS SUBMITTED BY SENATOR JOHN WARNER, ANSWERS SUPPLIED BY RICHARD PERLE, ASSISTANT SECRETARY OF DEFENSE (INTERNATIONAL SECURITY POLICY)

NONCOMPLIANCE ISSUES

Senator WARNER. What is the prospect that future National Technical Means (NTM) of verification will be less dependent on Soviet cooperation?

ANSWER. There are no "miracle" systems that will allow us to verify arms control agreements in the face of Soviet concealment, deception and electronic countermeasures. Cooperative verification is clearly of great importance. We are now considering a wide range of cooperative verification measures including on-site inspection procedures.

Senator WARNER. Has the Department of Defense proposed program or other actions in response to Soviet treaty violations?

ANSWER. We are now studying potential military responses to Soviet treaty violations. This process is complicated by the fact of significant budget cuts which have actually forced reductions in some programs that could potentially counter Soviet violations. The Office of the Secretary of Defense has opposed such re-

ductions. We have not decided on any specific programmatic response to Soviet violations at this time.

Senator WARNER. To what extent do you believe that the Soviets have a blueprint for strategic force modernization that will proceed with or without arms control considerations?

ANSWER. As I stated in my testimony: "I believe that the current and projected Soviet forces under existing arms control restraints are essentially what they would be in the absence of those constraints and that the only differences can be explained in terms of the liberties the Soviets have taken with the agreements. In other words, they had not the slightest intention of altering their 5-year program when they entered into these agreements and between the combination of loopholes and circumventions and out-and-out violations they have managed to keep their program on track despite the existence of the agreements."

As President Reagan observed in the spring of this year, the Soviets have actually added almost 8,000 missile warheads since the SALT negotiations began in 1969, some 3,850 since SALT II was signed in 1979. It is difficult to imagine what more they would have done without arms control constraints.

Senator WARNER. What can you tell us about reports that the Soviets are jamming Cobra Dane and related systems?

ANSWER. Under the terms of the SALT and ABM Treaties, "each Party undertakes not to interfere with the national technical means of verification of the other Party . . ." This obligation is in addition to a more general obligation not to use deliberate concealment measures which impede verification by national technical means. As I said earlier, the Soviets have engaged in a pattern of activity inconsistent with these provisions. This activity is in addition to that reported by President Reagan to the Congress on 23 January 1984. President Reagan reported to the Congress on 23 January 1984 that the Soviet Union had violated its legal obligation and political commitment with respect to SALT II by encrypting telemetric information from ballistic missile flight tests.

In recent months, the Soviets have engaged in some activities which might be characterized as interfering with our national technical means of verification, of a sort commonly referred to as "jamming." We are currently studying the instances of these activities to determine whether they constitute violations of the non-interference provision I mentioned earlier.

Senator WARNER. What specific action by the Soviets would, in your view, constitute an actual break-out of the ABM Treaty?

ANSWER. An *overt* "break-out" of the ABM Treaty would involve the *overt* deployment of ABM missiles and radars at levels above those allowed by the treaty (six radars and 100 interceptors) and in areas not permitted by the treaty (more than 150 kilometers from Moscow). *Coveri* deployments would involve the same thing but might also involve the upgrade of SAM missiles into ABMs. A "break-out" would involve the deployment of regional or nation-wide defenses.

---

QUESTIONS SUBMITTED BY SENATOR SAM NUNN, ANSWERS SUPPLIED BY RICHARD PERLE, ASSISTANT SECRETARY OF DEFENSE (INTERNATIONAL SECURITY POLICY)

SOVIET NONCOMPLIANCE

Senator NUNN. Would you provide for the record a listing of *other* areas of potential noncompliance that were examined but not included in the final report together with reasons for noninclusion?

ANSWER. All issues examined during the compliance study which resulted in the President's report to the Congress of 23 January 1984 were included in the President's report and the findings were made public in the President's letter and fact sheet.

[Deleted.]

---

QUESTIONS SUBMITTED BY SENATOR CARL LEVIN, ANSWERS SUPPLIED BY RICHARD PERLE, ASSISTANT SECRETARY OF DEFENSE (INTERNATIONAL SECURITY POLICY)

NONCOMPLIANCE ISSUES

Senator LEVIN. How good is our evidence in each specific case? What confidence (high, medium or low) do we have in the evidence, especially the data supporting our conclusions, and what are the specific numerical ranges of error in each case? If the ranges of error/uncertainty are so large about what it is we allege they

are doing, how credible are our allegations, especially to the rest of the world which is nervous about our intentions in nuclear arms and arms control?

ANSWER. (a) *SS–X–25 as a Second New Type.*—The U.S. judgment that the SS–X–25 is a new type results from the assessment that its throw weight is more than 5% greater than that of the SS–13. [Deleted.]

(b) *Telemetry Encryption that Impedes Verification.*—The SALT II Treaty states that any encryption of telemetry must not impede verification of compliance with the terms of the treaty. The evidence is strong that telemetry encryption on the new ballistic missiles has impeded US verification of Soviet compliance with the terms of SALT II. [Deleted.]

(c) *SS–16 Deployment.*—As stated in the President's report, the evidence of SS–16 deployment at Plesetsk Missile Test Center is somewhat ambiguous. [Deleted.] However, we believe they have probably deployed the missile in violation of the prohibition.

(d) *ABM Treaty.*—The Krasnoyarsk radar is almost certainly a violation of the ABM treaty. [Deleted.] Overall, we believe the uncertainty of our conclusion to be very small.

(e) *Chemical and Biological Weapons.*—U.S. evidence for Soviet violation of the use aspect of the Geneva Protocol of 1925 and the Biological and Toxin Weapons Convention of 1972 is very good, and we have high confidence in the evidence. The Soviet Union and its allies have used chemical and toxin weapons in Laos, Kampuchea and Afghanistan. This evidence consists of a wide range of data from open and sensitive sources. The evidence in many cases is corroborated by other source data and sample analysis. Additionally, the accidental release of anthrax agent from a known BW research, development and production facility in Sverdlovsk in 1979, served to present strong circumstantial evidence that the Soviets were conducting BW activities that exceeded those allowed by the BW and Toxin Weapons Convention of 1972. The combined weight of evidence fully supports the U.S. Government charges of Soviet violations of both the possession and use aspects of the 1925 and 1972 agreements.

Senator LEVIN. What are the ambiguities in each of the Treaty provisions allegedly violated which undermine our case? How are we rebutting them?

ANSWER. A full discussion of the legal obligations, including an analysis of potential ambiguities and our reasons for rejecting such arguments, is included in the President's Report to the Congress on "Soviet Noncompliance with Arms Control Agreements" (January 23, 1984). Soviet arms control violations are a serious matter and cannot be dismissed as solely the exploitation of ambiguities in existing treaties. International law imposes a good faith standard upon nations in the implementation of treaty obligations.

Senator LEVIN. In which fora have we raised each of these violations, and what has been the Soviet response in each case? On what specific grounds do we reject each Soviet justification?

ANSWER. A full discussion of Soviet responses and our reasons for rejecting them appears in the President's Report to the Congress on "Soviet Noncompliance with Arms Control Agreements" (January 23, 1984).

Senator LEVIN. What is the military significance of each violation? How should we counter each?

ANSWER. As President Reagan reported to the Congress, "Soviet noncompliance is a serious matter. It calls into question important security benefits from arms control, and could create new security risks." Since the SS–X–25 is still under development, and the Abalakovo radar is still being built, there are no short-term security risks associated with these. Soviet chemical and biological warfare activities have security implications.

In the near term, the U.S. defense modernization program, including strategic, conventional, and chemical programs, once fully funded, would be adequate to cope with the military implications and the potential dangers to U.S. security of these Soviet actions.

However, there are serious longer-term implications of Soviet noncompliance for both Soviet and U.S. defense postures which we will need to take fully into account in terms of potential dangers to U.S. security.

Senator LEVIN. Does the President think that the military significance of all these violations, individually or together, means we no longer should reach arms control agreements with the Soviets (or any agreements for that matter)? Or does he think that regardless of their military significance, they demonstrate an untrustworthiness which means we should no longer reach agreements with the USSR?

ANSWER. President Reagan believes that the United States Government should continue to seek effective agreements that are verifiable and provide for real arms reduction and the improvement of the security of both sides. He also believes, moreover, that we must reject unverifiable arms control proposals and that we must strengthen our defenses to preserve our deterrent and give the Soviets an incentive to negotiate.

Senator LEVIN. In light of these alleged allegations, how will we react? Will we break out of these treaties? Will we try to exploit the ambiguities in these treaties and approach violating them ourselves. How can we argue that we should continue to abide by them if the Soviets do not?

ANSWER. The United States Government is currently studying the problem of Soviet arms control violations and the implications of these violations for our policy of interim constraints. As the President has said, the U.S. is continuing to carry out its obligations and commitments under relevant agreements. At the same time, we will continue to press our compliance concerns upon the Soviet Union through diplomatic channels and insist upon explanations, clarifications and corrective actions.

Senator LEVIN. Have we discussed these alleged violations with our allies and to what degree will they support us on each of them? How do these alleged violations affect the allies willingness to continue negotiations with the Soviets?

ANSWER. We have discussed Soviet arms control violations with our Allies in a number of fora and kept them fully informed about our deliberations. The Allies continue to believe, as we do, that arms control can enhance security if it provides for significant reductions and if it is effectively verifiable.

### ABM RADAR ALLEGATIONS

Senator LEVIN. It has been contended that this radar does not represent the most effective design and location of a facility which the Soviets would use for an ABM system, and that it really is part of a Soviet anti-satellite system. Has the administration investigated this, and on what grounds does it reject this theory?

ANSWER. The Krasnoyarsk radar is very appropriately located for ballistic missile defense, filling in the one gap in their early warning coverage. At a minimum the radar would provide the long-range acquisition and tracking function in an ABM network. It may also have capabilities for ABM battle management functions.

We have examined and found implausible the theory that the radar could have an ASAT function. It does not appear to be designed or intended for an ASAT role.

The Krasnoyarsk radar adds nothing to Soviet capability to accurately track satellites [deleted]. The Krasnoyarsk radar adds nothing to tracking accuracy. Not only is the radar the wrong design for tracking satellites but it is pointed in almost precisely the wrong direction.

Senator LEVIN. Does the orientation of this radar support its use as a space track radar, an ABM radar or both?

ANSWER. The location and orientation of this radar is optimized for early warning of missile attack or ballistic missile defense. It has the wrong orientation and design for space track purposes.

Like all large phased array radars designed to track missiles, space track is a secondary role; but the Soviets have a massive radar network capable of tracking satellites including radars that are dedicated to space track purposes. (These radars are clearly designed and oriented for space track purposes.) With the current Soviet radar base and the number of additional radars now under construction it is completely implausible that the Soviets would build an additional radar purely for space track purposes. They certainly would not build a radar with a design not well-suited for space tracking and pointed in almost the worst possible direction for tracking satellites. [Deleted.]

Senator LEVIN. It has been contended that if the Soviets were to build this radar to be used as an ABM against incoming MX Missile hard target kill warheads, that it should be facing toward the Arctic, instead of in the direction it now is facing. Do you agree that its position precludes it being of much use as an ABM against MX?

ANSWER. The Krasnoyarsk radar is one of six radars of this type that cover the entire threat corridor to the Soviet Union from US ICBMs, Trident missiles in the Pacific and potential missile submarine attack from the Indian Ocean. An

analysis of the ABM potential of this radar must look at the entire Soviet radar network, not at its independent capability. [Deleted.]

Senator LEVIN. If the Soviets had indeed set out from the beginning to construct a space tracking radar at Krasnoyarsk, how would it differ from the radar we have identified at that location?

ANSWER. If the Soviets set out to build a space track radar at Krasnoyarsk they would have designed a radar that could look up to a much higher angle and would have oriented the radar almost in the opposite direction.

Senator LEVIN. Were the Soviets to use this new radar for ABM battle management, how effective would it be?

ANSWER. It is not a question of the effectiveness of one radar, but the effectiveness of the entire ABM system. The Krasnoyarsk-type radar may have capabilities for ABM battle management. The effectiveness of such radars in BMD battle management would depend, in part, upon the offensive countermeasures that are taken against them. If the US does not field penetration aids, there will not be a serious battle management problem for the Soviet Union. As Secretary Weinberger noted in Soviet Military Power, 1984, "The USSR has an improving potential for large-scale deployment of modernized ABM defenses well beyond the 100-launcher ABM Treaty limits. Widespread ABM deployment to protect important target areas in the USSR could be accomplished within the next 10 years . . . The Soviets seem to have placed themselves in a position to field relatively quickly a nationwide ABM system should they decide to do so."

Senator LEVIN. If the Soviets succeed in arguing that the radar is simply for space tracking purposes, would you expect to see other similar radars constructed elsewhere in the Soviet Union?

ANSWER. We could expect to see additional radars if we do not vigorously and successfully oppose the Soviet claim that the Krasnoyarsk radar is simply for space track purposes. This would set a terrible precedent to the evasion of vital arms control treaty provisions.

Senator LEVIN. How does this radar fit into the rest of the Soviet radar and air and missile defense systems and what kind of ABM capability does it give the Soviets now?

If present Soviet ABM capabilities are limited or marginal within how long a period could the Soviets, once they decided to do so, break out of an ABM treaty, and how much longer would it take if they did not have this particular radar?

ANSWER. The radar is one of six radars of this type now under construction by the USSR. In addition the Soviets have 11 Hen House radars which, as we reported in Soviet Military Power, 1984, could "provide some target-tracking data in support of ABM deployments." The Soviets also have two operational ABM radars at Moscow and one under construction.

As additional radars are completed the Soviet capability to "breakout" of the ABM Treaty will grow. We expect all known radars of this type to be operational by the late 1980s. In the near term we face threats of rapid deployment of the ABM–X–3 system and the ABM potential of the Soviet SA–10 and SA–12. As we reported in Soviet Military Power, 1984, "Both the SA–10 and SA–X–12 may have the potential to intercept some types of US strategic ballistic missiles as well. These systems could, if properly supported, add significant point-target coverage to a wide-spread ABM deployment."

The Soviets are now in a position to rapidly breakout of the ABM Treaty if they so decide.

The ABM–X–3 system using a high acceleration interceptor could be set up in a period [deleted].

Senator LEVIN. Is Soviet work on development and deployment of other critical components of an ABM system—especially $C^3$ and computer processing and interconnecting radars to transfer information—progressing well enough to support a claim that this could be an ABM radar?

ANSWER. The Soviets have an operational ABM system that uses data from existing LPARs. They are in the process of building a new ABM system at Moscow, a classic double layer system. Hence they almost certainly have the $C^3$ and computer capability to support an ABM system.

[Deleted.]

Senator LEVIN. Regardless of whether one agrees that this radar is an ABM violation, what have the Joint Chief of Staff recommend as *immediate* actions the US should take in its own defense programs to respond to and counter this radar?

If there are no immediate actions, then how serious a violation—in terms of its military impact—is it?

ANSWER. The question of required military responses to a Soviet ABM capability as a result of treaty violations is now under study. Some of the necessary programs may be costly and will be difficult to support if there are additional cuts in the Defense Budget.

The Krasnoyarsk radar is not yet operational and hence cannot have any very short term military significance. It is not the radar in isolation but the entire radar network the Soviets are building—combined with their development of a rapidly deployable ABM system and ABM capable SAMs—that create the threat.

Senator LEVIN. Do any of the actions recommended by the JCS violate our own obligations under any arms control treaties? So we can still counter this development without jettisoning existing arms control agreements?

ANSWER. The JCS have not made any specific recommendations concerning military responses at this time. The issue is under study. There are clearly options that could involve actions inconsistent with existing treaties and options that are consistent. Deployment of penetration aids, or MARVs, for example, would be completely consistent with existing treaties.

### SALT II ISSUE: SS–16 MISSILE

Senator LEVIN. What is the military significance of those SS–16 ICBMs which the administration still believes to be operational?

How would you assess the readiness of these systems?

ANSWER. The number of SS–16s probably deployed is [deleted] of limited significance when compared to the overall Soviet warfighting capability inherent in the massive Soviet ICBM force.

We believe that SS–16 missiles at Plesetsk could be made ready for launch against us [deleted].

Senator LEVIN. Have the Soviets done anything in particular with those missiles since SALT II was signed?

ANSWER. The Soviets have apparently maintained a covert deployment of these missiles since the signing of SALT II. [Deleted.]

Senator LEVIN. If these SS–16 systems have been deployed, why were they not listed in the latest issue of *Soviet Military Power* in March, 1983?

Answer. At the time *Soviet Military Power 1983* was published, the US government still had the issue of SS–16 deployment under study. As a result of that examination, the President concluded that, while the evidence was somewhat ambiguous, SS–16s probably had been deployed at the Plesetsk Test Center in violation of the SALT II agreement. The President informed the Congress of that conclusion in his January 1984 report on Soviet compliance with arms control treaties. The latest edition of *Soviet Military Power*, issued in April 1984, discusses the SS–16 (see pp. 23–24), *Soviet Military Power 1984*).

Senator LEVIN. Do you intend to ask that the Soviets go beyond their SALT II commitment and actually dismantle SS–16 missiles? What have we asked the Soviets to do so far about the SS–16s, and what has been their response?

ANSWER. We have asked the Soviets to provide us with information concerning the status of the SS–16 and if necessary to take corrective action. The Soviets have not been forthcoming [deleted]. Details of the Soviet responses are contained in the President's Report on "Soviet Noncompliance with Arms Control Agreements" (January 23, 1984).

### SALT II ISSUE: TELEMETRY ENCRYPTION

Senator LEVIN. What levels of encryption have been identified in recent months for Soviet ICBM and SLBM test launches?

ANSWER. There has been no change in recent months in the telemetry encryption on specific missiles. The following levels on encryption have been identified for tests of missiles under development:

[Deleted.]

Senator LEVIN. How have the Soviets responded when challenged by us on this?

ANSWER. [Deleted.]

Senator LEVIN. How do you account for the difference between SLBM and ICBM tests in terms of encryption levels?

ANSWER. [Deleted.]

Senator LEVIN. Is there a difference in the level of encryption of new and older missiles?

ANSWER. [Deleted.]

Senator LEVIN. At the time that the SALT II Treaty was signed, U.S. negotiators argued that they had not provided the Soviets with a loophole for encrypting SALT-relevant data. Of course, they were contemplating a ratified Treaty. Would not your case be stronger if the Treaty were in force?

ANSWER. No. [Deleted] there is no reason to believe, from what they have said or from any other evidence, that they would have behaved any differently in this regard had the Treaty been ratified. [Deleted.]

Senator LEVIN. To what extent can our Intelligence Community compensate for the telemetry encryption using other sources and methods?

ANSWER. [Deleted.]

Senator LEVIN. Does the United States use encryption, encapsulation, low-level transmission, or any other means to deny the Soviets information on our missile tests?

ANSWER. The United States has never employed any means of denying information necessary for arms control compliance verification to the Soviets. The United States has not encrypted ICBM or SLBM telemetry or employed any other means of denying telemetry information related to any arms control agreement. In stark contrast to US practice, the Soviets use high levels of telemetry encryption which impedes our ability to verify treaty compliance on their part.

SALT II ISSUE: SOVIET "NEW TYPE" ICBMS

Senator LEVIN. How "mature" is the Soviet test program for the SS–X–25; i.e., do you believe that most of the missile's characteristics are now fairly well established?

ANSWER. [Deleted.]

Senator LEVIN. What arguments do the Soviets present in response to U.S. demarches on this issue?

ANSWER. [Deleted.]

Senator LEVIN. How many of these missiles do you expect the Soviets to construct?

ANSWER. [Deleted.]

Senator LEVIN. How do you assess their military significance and capabilities vis-a-vis the SS–13 and the SS–16?

ANSWER. The SS–X–25 will have a greater military capability than either the SS–13 or the SS–16 missile when the Soviets decide to deploy it. [Deleted.] No doubt its technologies represent improvements in solid-fuel design, guidance accuracy and mobile basing modes over those technologies employed in the SS–13 or SS–16 missiles. The SS–X–25, now under development, is approximately the same size as the U.S. Minuteman missile, but it will only carry one reentry vehicle as does the SS–13 and SS–16.

U.S. COUNTERMEASURES/REACTIONS?

Senator LEVIN. In what detail did Secretary Shultz raise the seven compliance issues with Foreign Minister Gromyko in Stockholm?

a. How did Mr. Gromyko respond?

b. Did Secretary Shultz indicate in the meeting how the United States intended to proceed if appropriate steps or more satisfactory explanations were not advanced by the Soviet Union?

ANSWER. I would refer you to the State Department for a full answer on what Secretary Shultz and Foreign Minister Gromyko discussed.

Senator LEVIN. What alternative courses of actions are presently under consideration by the administration in responding to the specific findings on Soviet compliance?

a. When do you expect this review to be completed?

b. Do you think it is possible to redraft or tighten up some of the provisions in the applicable treaties?

c. If the Soviets should fail to address our concerns with respect to any specific accord, is the administration considering abrogating that accord?

ANSWER. The U.S. Government is now reviewing many policy aspects of Soviet noncompliance including appropriate military responses, implications for arms

control negotiations, verification, and interim constraints. We cannot now predict precisely when this review will be completed. Redrafting existing treaties is one possible form of corrective action. However, it will require, as President Reagan pointed out, a "constructive" Soviet attitude toward compliance that does not currently exist. The administration is now considering a wide range of responses to Soviet violations including our attitude toward interim constraint and the exercise of our rights under internatiinal law relating to treaties the Soviets are violating.

Senator LEVIN. Please indicate what actions the Joint Chiefs of Staff have recommended in our own defense programs to counter each of the compliance issue raised in the administration's report.

ANSWER. The JCS advised that, if the strategic modernization program is fully funded and if funds are provided for chemical weapon modernization, no additional steps would be needed in the near term to counter these violations. Over the longer term, the U.S. must continue programs that would improve U.S. ability to penetrate a Soviet ABM defense system and to counter Soviet chemical and biological capabilities.

Senator EXON. We are adjourned.

[Whereupon, at 1:20 p.m., the committee adjourned, subject to the call of the Chair.]

○